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Thirteenth-century women in Lincolnshire.

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Thirteenth-Century Women in Lincolnshire

Louise Jane Wilkinson

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King's College London
September 1999



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Abstract

This thesis examines the interaction of gender, status and life-cycle in shaping women's lives at different social levels in thirteenth-century Lincolnshire, and explores how far contemporary ideas about female inferiority and subordination influenced relations between the sexes within the households of the Lincolnshire nobility, gentry, townsfolk and peasantry. Chapter one focuses on the lives of three Lincolnshire noblewomen - Nicholaa de la Haye, castellan of Lincoln (d. 1230), Hawise de Quency, countess of Lincoln (d. 1243), and Margaret de Lacy, countess of Lincoln (d. 1266) - and considers the roles that these ladies played as vehicles for the promotion of family interests and as agents in their own right. Chapter two conducts a similar survey of the daughters, wives and widows of the administrative knights who served during the Lincolnshire eyre of 1218-1219, investigating possible marriage strategies and analysing the standing of gentlewomen within the family.

Chapters three and four ask whether the thirteenth-century Lincolnshire evidence supports the findings of P. J. P. Goldberg's research into women and work in York between c. 1300 and 1520, and the conclusions drawn from Judith Bennett's research into peasant women on the Northamptonshire manor of Brigstock before the Black Death. These chapters compare the different forms of employment and work-related activities that were open to women in Lincoln and the Lincolnshire countryside, and assess the impact of borough and manorial custom on women's experiences. Chapter five analyses the level and nature of male and female involvement in reported crime at the beginning and end of the thirteenth century, and studies how far patterns of male and female criminality sustained gender stereotypes.

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Abbreviations

Abbreviation	Full Title
<i>AFC</i>	<i>Lincolnshire Records: Abstracts of Final Concords Temp. Richard I, John and Henry III. Vol. I</i> , ed. W. O. Massingberd (London, 1896)
<i>AgHR</i>	<i>Agricultural History Review</i>
<i>AJLH</i>	<i>American Journal of Legal History</i>
<i>Anc. Ch.</i>	<i>Ancient Charters: Royal and Private prior to A. D. 1200 Part I</i> , ed. J. H. Round (Pipe Roll Society, X, 1888)
<i>Ann. Camb.</i>	<i>Annales Cambriae</i> , ed. J. Williams ab Ithel (Rolls Series, 1860)
<i>Ann. Cest.</i>	<i>Annales Cestrienses; or Chronicle of the Abbey of St. Werburgh at Chester</i> , ed. and trans. R. C. Christie (Record Society for the Publication of Original Documents relating to Lancashire and Cheshire, XIV, 1886)
<i>Ann. Mon.</i>	<i>Annales Monastici</i> , ed. H. R. Luard (5 vols., Rolls Series, 1864-1869)
<i>ANS XIV</i>	<i>Anglo-Norman Studies XIV: Proceedings of the Battle Conference 1991</i> , ed. M. Chibnall (Woodbridge, 1992)
<i>ANS XVII</i>	<i>Anglo-Norman Studies XVII: Proceedings of the Battle Conference 1994</i> , ed. C. Harper-Bill (Woodbridge, 1995)
<i>BF</i>	<i>Liber Feodorum. The Book of Fees Commonly Called Testa de Nevill</i> (3 vols., HMSO, 1920-1931)
<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research</i>
<i>BL</i>	British Library
<i>Borough Customs</i>	<i>Borough Customs</i> , ed. and trans. M. Bateson (2 vols., Selden Society, XVIII, XXI, 1904, 1906)
<i>Bracton</i>	<i>Bracton: On the Laws and Customs of England</i> , ed. G. E. Woodbine and trans. S. E. Thorne (4 vols., Cambridge, Mass., 1968-1977)
<i>Britton</i>	<i>Britton</i> , ed. and trans. F. M. Nichols (2 vols., Oxford, 1865)
<i>Cal. Docs. Ireland</i>	<i>Calendar of Documents Relating to Ireland</i> , ed. H. S. Sweetman (5 vols., HMSO, 1875-1886)
<i>CChR</i>	<i>Calendar of the Charter Rolls</i> (HMSO, 1903-)
<i>CDF</i>	<i>Calendar of Documents Preserved in France, Illustrative of the History of Great Britain and Ireland. Volume I. A. D. 918-1206</i> , ed. J. H. Round (HMSO, 1899)
<i>CEC</i>	<i>The Charters of the Anglo-Norman Earls of Chester c. 1071-1237</i> , ed. G. Barraclough (Record Society of Lancashire and Cheshire, CXXVI, 1988)
<i>Chronica Majora</i>	<i>Matthaei Parisiensis, Monachi Sancti Albani, Chronica Majora</i> ed. H. R. Luard (7 vols., Rolls Series, 1872-1883)
<i>CIM</i>	<i>Calendar of Inquisitions Miscellaneous (Chancery). Vol. I. 1219-1307</i> (HMSO, 1916)
<i>CIPM</i>	<i>Calendar of Inquisitions Post Mortem</i> (HMSO, 1904-)

Court Rolls ... Ingoldmells

- Court Rolls of the Manor of Ingoldmells in the County of Lincoln*, ed. and trans. W. O. Massingberd (London, 1902)
- CPR *Calendar of the Patent Rolls* (HMSO, 1906-)
- CR *Close Rolls of the Reign of Henry III* (HMSO, 1902-1975)
- CRR *Curia Regis Rolls of the Reigns of Richard I, John and Henry III preserved in the Public Record Office* (18 vols., HMSO, 1922-1999)
- Danelaw Docs.* *Documents Illustrative of the Social and Economic History of the Danelaw from Various Collections*, ed. F. M. Stenton (London, 1920)
- Devon Eyre 1238* *Crown Pleas of the Devon Eyre of 1238*, ed. and trans. H. Summerson (Devon and Cornwall Record Society, New Series, XXVIII, 1985)
- EcHR *Economic History Review*
- EEA I *English Episcopal Acta I: Lincoln 1067-1185*, ed. D. M. Smith (London, 1980)
- EHD I *English Historical Documents. Volume I. c. 500-1042*, ed. D. Whitelock (London, second edition, 1979)
- EHD II *English Historical Documents. Volume II. 1042-1189*, ed. D. C. Douglas and G. W. Greenaway (London, second edition, 1981)
- EHD III *English Historical Documents. Volume III. 1189-1327*, ed. H. Rothwell (London, 1975)
- EHR *English Historical Review*
- ELAR *The Earliest Lincolnshire Assize Rolls A. D. 1202-1209*, ed. D. M. Stenton (Lincoln Record Society, XXII, 1926)
- English Gilds* *English Gilds: The Original Ordinances of More than One Hundred Early English Gilds*, ed. and trans. T. Smith (The Early English Text Society, XL, first published 1870, reprinted 1892)
- ERF *Excerpta è Rotulis Finium in Turri Londinensi Asservatis. Henrico Tertio Rege. A. D. 1216-1272*, ed. C. Roberts (2 vols., Record Commission, 1835-1836)
- EYC *Early Yorkshire Charters*, ed. W. Farrer (vols. 1-3, Edinburgh, 1914-1916), C. T. Clay and E. M. Clay (Index to vols. 1-3), and C. T. Clay (vols. 4-12) (Yorkshire Archaeological Society Record Series: Extra Series, 1935-1965)
- FF (Lincs.) *Feet of Fines for the County of Lincoln for the Reign of King John 1199-1216*, ed. M. S. Walker (Pipe Roll Society, New Series, XXIX, 1953)
- Gilb. Charters* *Transcripts of Charters relating to the Gilbertine Houses of Sixle, Ormsby, Catley, Bullington and Alvingham*, ed. and trans. F. M. Stenton (Lincoln Record Society, XVIII, 1922)
- Glanvill* *The Treatise on the Laws and Customs of the Realm of England commonly called Glanvill*, ed. and trans. G. D. G. Hall (Oxford, first published 1965, reprinted with a guide to further reading by M. T. Clanchy 1993)

- Histoire des Ducs* *Histoire des Ducs de Normandie et des Rois D'Angleterre*, ed. F. Michel (La Société de L'Histoire de France, 1840)
- HKF W. Farrer, *Honors and Knights' Fees* (3 vols., London, 1923-1925)
- HSJ *Haskins Society Journal*
- JLH *Journal of Legal History*
- JMH *Journal of Medieval History*
- LAO Lincolnshire Archives Office
- Lincoln Wills* *Lincoln Wills. Volume I. A. D. 1271-1526*, ed. and trans. C. W. Foster (Lincoln Record Society, V, 1914)
- Lindsey Docs.* *The Medieval Lindsey Marsh: Select Documents*, ed. A. E. B. Owen (Lincoln Record Society, LXXXV, 1996)
- LRS Lincoln Record Society
- MA W. Dugdale, *Monasticon Anglicanum*, ed. J. Caley, H. Ellis and B. Bandinel (6 vols., London, 1817-1830)
- Maréchal* *Histoire de Guillaume Le Maréchal*, ed. P. Meyer (3 vols., La Société de L'Histoire de France, 1891-1901)
- MRS *Magni Rotuli Scaccarii Normanniae sub Regibus Angliae*, ed. T. Stapleton (2 vols., London, 1840-1844)
- NMS *Nottingham Medieval Studies*
- P&P *Past and Present*
- Pipe Roll 1175* *The Great Roll of the Pipe for the Twenty-First Year of the Reign of King Henry the Second, A. D. 1174-1175* (Pipe Roll Society, XXII, 1897)
- Pipe Roll 1176* *The Great Roll of the Pipe for the Twenty-Second Year of the Reign of King Henry the Second, A. D. 1175-1176* (Pipe Roll Society, XXV, 1904)
- Pipe Roll 1178* *The Great Roll of the Pipe for the Twenty-Fourth Year of the Reign of King Henry the Second, A. D. 1177-1178* (Pipe Roll Society, XXVII, 1906)
- Pipe Roll 1186* *The Great Roll of the Pipe for the Thirty-Second Year of the Reign of King Henry the Second, A. D. 1185-1186* (Pipe Roll Society, XXXVI, 1914)
- Pipe Roll 1190* *The Great Roll of the Pipe for the Second Year of the Reign of King Richard the First, Michaelmas 1190*, ed. D. M. Stenton (Pipe Roll Society, New Series, I, 1925)
- Pipe Roll 1191* *The Great Rolls of the Pipe of the Third and Fourth Years of the Reign of King Richard the First, Michaelmas 1191 and Michaelmas 1192*, ed. D. M. Stenton (Pipe Roll Society, New Series, II, 1926)
- Pipe Roll 1194* *The Great Roll of the Pipe for the Sixth Year of the Reign of King Richard the First, Michaelmas 1194*, ed. D. M. Stenton (Pipe Roll Society, New Series, V, 1928)
- Pipe Roll 1202* *The Great Roll of the Pipe for the Fourth Year of the Reign of King John, Michaelmas 1202*, ed. D. M. Stenton (Pipe Roll Society, New Series, XV, 1937)

- Pipe Roll 1204* *The Great Roll of the Pipe for the Sixth Year of the Reign of King John, Michaelmas 1204*, ed. D. M. Stenton (Pipe Roll Society, New Series, XVIII, 1940)
- Pipe Roll 1211* *The Great Roll of the Pipe for the Thirteenth Year of the Reign of King John, Michaelmas 1211*, ed. D. M. Stenton (Pipe Roll Society, New Series, XXVIII, 1953)
- Pipe Roll 1214* *The Great Roll of the Pipe for the Sixteenth Year of the Reign of King John, Michaelmas 1214*, ed. P. M. Barnes (Pipe Roll Society, New Series, XXXV, 1962)
- Pipe Roll 1219* *The Great Roll of the Pipe for the Third Year of the Reign of King Henry III, Michaelmas 1219*, ed. B. E. Harris (Pipe Roll Society, New Series, XLII, 1976)
- Pipe Roll 1230* *The Great Roll of the Pipe for the Fourteenth Year of the Reign of King Henry the Third, Michaelmas 1230*, ed. C. Robinson (Pipe Roll Society, New Series, IV, 1927)
- PR 1216-1225* *Patent Rolls of the Reign of Henry III ... A. D. 1216-1225* (HMSO, 1901)
- PR 1225-1232* *Patent Rolls of the Reign of Henry III ... A. D. 1225-1232* (HMSO, 1903)
- PRO* Public Record Office
- PRS* Pipe Roll Society
- RA* *The Registrum Antiquissimum of the Cathedral Church of Lincoln*, ed. C. W. Foster (vols. 1-4) and K. Major (vols. 5-10) (10 vols., Lincoln Record Society, 1931-1973)
- RB* *The Red Book of the Exchequer*, ed. H. Hall (3 vols., Rolls Series, 1896)
- RH* *Rotuli Hundredorum* (2 vols., Record Commission, 1812-1818)
- RJE* *Rolls of the Justices in Eyre Being the Rolls of Pleas and Assizes for Lincolnshire 1218-9 and Worcestershire 1221*, ed. and trans. D. M. Stenton (Selden Society, LIII, 1934)
- RLC* *Rotuli Litterarum Clausarum in Turri Londinensi Asservati*, ed. T. D. Hardy (2 vols., Record Commission, 1833-1834)
- RLP* *Rotuli Litterarum Patentium in Turri Londinensi Asservati*, ed. T. D. Hardy (Record Commission, 1835)
- ROF* *Rotuli de Oblatis et Finibus in Turri Londinensi Asservati, Tempore Regis Johannis*, ed. T. D. Hardy (Record Commission, 1835)
- Rolls of the Fifteenth*
- Rolls of the Fifteenth of the Ninth Year of the Reign of Henry III for Cambridgeshire, Lincolnshire and Wiltshire, and Rolls of the Fortieth of the Seventeenth Year of the Reign of Henry III for Kent*, ed. F. A. Cazel Jr. and A. P. Cazel (Pipe Roll Society, New Series, XLV, 1976-1977)
- Rot. Dom.* *Rotuli de Dominabus et Pueris et Puellis de XII Comitatus [1185]* (Pipe Roll Society, XXXV, 1913)
- Rot. Hug. Welles* *Rotuli Hugonis de Welles, Episcopi Lincolnensis*, ed. W. P. W. Phillimore (vol. 1) and F. N. Davis (vols. 2-3) (3 vols., Canterbury and York Society, 1907-1909)

- Rot. Norm.* *Rotuli Normanniae in Turri Londinensi Asservati*, ed. T. D. Hardy (Record Commission, 1835)
- Rot. Ric. Grave.* *Rotuli Ricardi Gravesend, Diocesis Lincolnensis*, ed. F. N. Davis (Canterbury and York Society, 1925)
- Rot. Rob. Gross.* *Rotuli Roberti Grosseteste, Episcopi Lincolnensis*, ed. F. N. Davis (Canterbury and York Society, 1913)
- RRAN *Regesta Regum Anglo-Normannorum 1066-1154. Volume III. Regesta Regis Stephani ac Mathildis Imperatricis ac Gaufridi et Henrici Ducum Normannorum 1135-1154*, ed. H. A. Cronne and R. H. C. Davis (Oxford, 1968)
- RS Rolls Series
- Select Cases* *Select Cases in Manorial Courts 1250-1550*, ed. and trans. L. R. Poos and L. Bonfield (Selden Society, CXIV, 1997)
- Select Charters* *Select Charters and Other Illustrations of English Constitutional History from the Earliest Times to the Reign of Edward the First*, ed. W. Stubbs (Oxford, ninth edition revised by H. W. C. Davis, 1913, reprinted 1942)
- SS Selden Society
- Statutes of the Realm*
Statutes of the Realm. Vol. I (Record Commission, 1810)
- TCE I *Thirteenth Century England I: Proceedings of the Newcastle Upon Tyne Conference 1985*, ed. P. R. Coss and S. D. Lloyd (Woodbridge, 1986)
- TCE II *Thirteenth Century England II: Proceedings of the Newcastle Upon Tyne Conference 1987*, ed. P. R. Coss and S. D. Lloyd (Woodbridge, 1988)
- TCE III *Thirteenth Century England III: Proceedings of the Newcastle Upon Tyne Conference 1989*, ed. P. R. Coss and S. D. Lloyd (Woodbridge, 1991)
- TCE VI *Thirteenth Century England VI: Proceedings of the Durham Conference 1995*, ed. M. Prestwich, R. H. Britnell and R. Frame (Woodbridge, 1997)
- Thurgarton Cart.* *The Thurgarton Cartulary*, ed. T. Foulds (Stamford, 1994)
- TRHS *Transactions of the Royal Historical Society*
- Walt. Cov.* *Memoriale Fratris Walteri de Coventria*, ed. W. Stubbs (2 vols., Rolls Series, 1872-1873)
- Wilts. Eyre 1249* *Crown Pleas of the Wiltshire Eyre, 1249*, ed. and trans. C. A. F. Meekings (Wiltshire Archaeological and Natural History Society: Records Branch, XVI, 1960)

Introduction

The last twenty years have witnessed a revolution in women's history and its emergence as an important field of study. The pioneering work of scholars, such as Judith Bennett, P. J. P. Goldberg, Barbara Hanawalt, Henrietta Leyser and Pauline Stafford, has illuminated for the first time the gendered structures which governed the lives of medieval women. Hitherto much of this endeavour has focused on either the eleventh and twelfth or fourteenth and fifteenth centuries, while the lives of thirteenth-century women have generated relatively little interest. Although widows' property rights in thirteenth-century England have provoked debate,¹ surveys of the lives of women from different backgrounds have been lacking. This thesis will try to remedy this situation by comparing the roles played by women at different social levels in thirteenth-century Lincolnshire.

A good starting point for the types of questions posed in this study is provided by Pauline Stafford's article on the impact of the Norman Conquest on women. Stafford has asked whether it is appropriate to treat medieval women as a single and cohesive group. In particular, she has stressed how the position of women might be very different depending on their status.² It is for this reason that this thesis looks at women from four distinct social groups, namely noblewomen, gentlewomen, townswomen and peasant women, in order to explore how gender interacted with social status and the female life-cycle.

The position of women in thirteenth-century Lincolnshire can be investigated from various angles. On the one hand, we can ask whether women were simply dominated by men or whether they enjoyed any independence from men. On the other hand, we can ask how far women played an important role alongside men, and were in a sense equal partners, especially within the family. The advantage of this approach is that it does not consider women in isolation and focuses closely on relations between the sexes. It raises the question of how far the family itself was gendered. Judith Bennett has argued that the conjugal peasant households of the Northamptonshire manor of Brigstock before the Black Death 'reinforced gender stereotypes by encouraging the authority of husbands and the dependency of their wives'; men were publicly-active 'householders' who attended

¹ J. S. Loengard, "'Of the Gift of her Husband': English Dower and its Consequences in the Year 1200", in *Women of the Medieval World: Essays in Honour of John H. Mundy*, ed. J. Kirshner and S. F. Wemple (Oxford, 1985), 215-255; J. Biancalana, 'Widows at Common Law: The Development of Common Law Dower', *The Irish Jurist*, New Series, XXIII (1988), 255-329; J. S. Loengard, 'Rationabilis Dos: Magna Carta and the Widow's "Fair Share" in the Earlier Thirteenth Century', in *Wife and Widow in Medieval England*, ed. S. S. Walker (Ann Arbor, 1993), 59-80; S. S. Walker, 'Litigation as Personal Quest: Suing for Dower in the Royal Courts, circa 1272-1350', in *Ibid.*, 81-108; P. Dobrowolski, 'Women and their Dower in the Long Thirteenth Century 1265-1329', in *TCE VI*, 157-164.

² P. Stafford, 'Women and the Norman Conquest', *TRHS*, Sixth Series, IV (1994), 221-249, esp. 230.

and litigated in the manor court, while women were publicly passive 'dependents'.³ Did the households of the thirteenth-century Lincolnshire nobility, gentry, townsfolk and peasantry buttress female subordination, and how was this reflected by patterns of male and female criminal behaviour?

It may be helpful now to take a preliminary look at the ideas and structures that governed the lives of women. It will at once be apparent that these permit no simple answer to the questions posed above. They both constricted and, to an extent, empowered women. The interplay of personalities was obviously instrumental in shaping relations between men and women, but these personalities were articulated in the knowledge of certain religious and biological ideas about gender difference. Attitudes towards women in daily life were heavily influenced by the Church's teachings on sexual inequality. Ideas about female fallibility and inferiority had biblical origins in the Original Sin when Eve, who had been made out of the rib of Adam, led Adam into temptation with the consequence that the couple was expelled from the Garden of Eden. St. Paul instructed wives to submit themselves to their husbands: 'For the husband is the head of the wife as Christ is the head of the church' (Eph. 5:22-23).

Twelfth- and thirteenth-century churchmen believed that women were the heiresses of Eve and that the flawed female sex should be subject to rational male authority, guidance, governance and discipline. In part three of his *Communiloquium*, the friar John of Wales instructed women to be subservient to men, subdued rather than talkative, and above all modest and chaste.⁴ The movement for church reform that began in the second half of the eleventh century had added extra weight to the case for female subordination to men. The emphasis on clerical celibacy increased awareness of the dangers of sexually tempting women and undermined the role of women within religious institutions.⁵ In c. 1140, Gratian's *Decretum* had strongly reiterated the idea of wifely obedience and subjection, and wife beating was specifically sanctioned by canon law as a necessary method of discipline.⁶

Certain schools of medical thought inherited from the ancient world strengthened notions of female inferiority. Bartholomew the Englishman, another thirteenth-century friar, was heavily influenced by Hippocratic theory, which divided the world into the four elements of fire, air, earth and water, and

³ J. M. Bennett, *Women in the Medieval English Countryside: Gender and Household in Brigstock before the Plague* (Oxford, 1987), 177.

⁴ J. Swanson, *John of Wales: A Study of the Works and Ideas of a Thirteenth-Century Friar* (Cambridge, 1989), 125-126.

⁵ J. A. McNamara, 'The *Herrenfrage*. The Restructuring of the Gender System, 1050-1150', in *Medieval Masculinities: Regarding Men in the Middle Ages*, ed. C. A. Lees (London, 1994), 3-29; J. A. Brundage, 'Sex and Canon Law', in *Handbook of Medieval Sexuality*, ed. V. L. Bullough and J. A. Brundage (London, 1996), 36-37.

⁶ J. Richards, *Sex, Dissidence and Damnation: Minority Groups in the Middle Ages* (London, 1991), 25.

held that men were hotter and drier than women, hence masculine physical and psychological superiority.⁷ A separate classical tradition treated menstrual blood, which cleansed women's bodies of impurities, as harmful, even poisonous, for men.⁸

There were, however, developments in twelfth- and thirteenth-century religious teaching that promised individual women a more positive social role. A notion of marriage was promoted within the Church, where husbands and wives were required to give their consent freely to matrimony for their union to be considered valid.⁹ Couples themselves were encouraged to look upon marriage as a loving partnership and a source of companionship; the idea of enduring marital affection found favour with Popes Alexander III (1159-1181) and Innocent III (1199-1216).¹⁰ Authors of pastoral manuals, such as Thomas of Chobham, subdean of Salisbury and rector of Chobham whose *Summa confessorum* was completed by 1216, recognised that wives could exercise a benevolent influence over their husbands. They could guide their partners' generosity and mercy towards the poor, and spend their husbands' money for pious reasons and in furtherance of their husbands' own interests.¹¹

Chobham was still essentially guided by ideas of female subordination, advising husbands, through their confessors, to manage their wives and correct them if necessary. But, at the same time, he saw the relationship between a married couple as something that was highly complementary in nature.¹² Recent research by John Carmi Parsons and Margaret Howell has shown that expectations of queenly intercession, fostered by churchmen and often encouraged by queens themselves, allowed thirteenth-century queens to play a significant role in royal government. The popular veneration of the Virgin Mary as an intercessor offered a particularly potent example for earthly queens to emulate and comparisons were invited by coronation rituals that recalled the Virgin's coronation as queen of heaven.¹³ King Henry III's wife, Eleanor of Provence, interceded with her husband on the behalf of

⁷ J. E. Salisbury, 'Gendered Sexuality', in *Handbook of Medieval Sexuality*, ed. Bullough and Brundage, 92; H. Leyser, *Medieval Women: A Social History of Women in England 450-1500* (London, 1995), 97.

⁸ Salisbury, 'Gendered Sexuality', 89-90; Leyser, *Medieval Women*, 97.

⁹ R. H. Helmholz, *Marriage Litigation in Medieval England* (Cambridge, 1974), 26-27; C. Brooke, *The Medieval Idea of Marriage* (Oxford, first published 1989, reprinted 1991), 137-140.

¹⁰ M. M. Sheehan, 'Maritalis affectio Revisited', in *Marriage, Family, and Law in Medieval Europe: Collected Studies* (Toronto, first published 1996, reprinted 1997), 262-277, esp. 269-270.

¹¹ S. Farmer, 'Persuasive Voices: Clerical Images of Medieval Wives', *Speculum*, LXI (1986), 517. See also J. Murray, 'Thinking about Gender: The Diversity of Medieval Perspectives', in *Power of the Weak: Studies on Medieval Women*, ed. J. Carpenter and S. MacLean (Chicago, 1995), 9-12.

¹² Murray, 'Thinking about Gender', 9-12.

¹³ J. C. Parsons, 'The Queen's Intercession in Thirteenth-Century England', in *Power of the Weak*, ed. Carpenter and MacLean, 147-177; M. Howell, *Eleanor of Provence: Queenship in Thirteenth-Century England* (Oxford, 1998), 257-258.

individuals such as Walter Marshal and William Raleigh.¹⁴ Naturally, a queen's ability and willingness to bring matters to her husband's attention depended heavily on her relationship with the king and on her own character.

Although queens occupied a unique position in the secular hierarchy, the roles played by individual queens as intercessors suggest that male expectations of female behaviour furnished opportunities for female political influence, thereby blurring distinctions between the private (and female) world of the home and the public (and male) world of government. On the other hand, by asking the king for assistance, a queen was recognising and reinforcing male power structures; she was acknowledging that her husband was the agent for change, while she was the channel through which a request for change was brought to his attention.¹⁵ Nevertheless, intercession permitted a queen to shape her husband's policies. Furthermore, her position as an intermediary offered opportunities for creating her own networks of influence, which might in their turn transform her into a political force.¹⁶

The image of the Virgin Mary was also relevant for thirteenth-century English queens because her position within the heavenly hierarchy rested upon her position as Christ's mother. One of Eleanor of Provence's chambers at Clarendon palace had a window depicting an earthly queen kneeling before the Virgin and Child.¹⁷ Motherhood offered a powerful reminder of a queen's intimate relationship with the king and her position as his legitimate bedfellow, but more than that it reaffirmed her position within the royal dynasty as a perpetuator of lineage and agent for future political stability. The potential of Eleanor of Provence's maternity was revealed by her appointment as regent in 1253-1254 and by the generous provision that Henry III made for her in his will before his departure to Gascony.¹⁸ It also found expression after her husband's death through her continuing involvement in royal family affairs as queen dowager.¹⁹ I hope to explore how far women from different backgrounds were also able to manipulate gender roles.

This thesis will be very much concerned with the legal context in which gender identities were reinforced and the social environment that they reflect in thirteenth-century Lincolnshire. Religious

¹⁴ Howell, *Eleanor of Provence*, 258.

¹⁵ For the role of ritual in defining ideas about queenly subordination to the king, see J. C. Parsons, 'The Intercessionary Patronage of Queens Margaret and Isabella of France', in *TCE VI*, 147-149.

¹⁶ Note Eleanor of Provence's position at the head of the Savoyard faction. See Howell, *Eleanor of Provence*, ch. 3.

¹⁷ *Ibid.*, 73, 255-256.

¹⁸ Henry's will granted her custody of all their children, including the heir to the throne, together with England, Wales, Ireland and Gascony. See *Ibid.*, ch. 5, esp. pp. 111-112.

¹⁹ *Ibid.*, 296-299, 305.

and medical conceptions of female imperfection were upheld by the common law. The thirteenth-century legal treatise *Bracton* discussed the classification of the sexes, observing that 'Women differ from men in many respects, for their position is inferior to that of men'.²⁰ Among the nobility and gentry, for example, property rights usually relegated daughters to the position of second-best heirs who only succeeded in the absence of sons. A *statutum decretum* of 1130-1135 had, however, laid down that when there was more than one daughter the inheritance was to be divided between all the daughters as co-heiresses.²¹ Younger daughters could inherit a share of the family lands, increasing their material attractions on the marriage market.²²

The outlook was not altogether bleak for non-inheriting female offspring. In noble and gentle families with both daughters and sons, it was customary for the father, or another relative, to provide the daughters with marriage portions, usually in the form of land (*maritagia*), in the late twelfth and early thirteenth centuries.²³ According to *Bracton*, this land might be given to the bridegroom with his bride on marriage, or to the bridegroom and bride together, or to the bride herself.²⁴ Yet no matter to whom the grant was addressed, the *maritagium* remained to the wife after her husband's death,²⁵ suggesting a deeply entrenched familial concern for the future welfare of daughters. The existence of marriage portions, as well as heiresses and co-heiresses, conveys conflicting messages about the standing of women at the highest social levels.

The extent of male control over female landholding in the thirteenth century is problematic. A female heir required the consent of her lord to marry, regardless of whether she had attained her majority or not, whereas a male heir who had attained his majority needed no such consent.²⁶ Once a woman married, she came 'under the rod and in the power' (*sub virga et potestate*) of her husband.²⁷ A wife's landed and moveable property came under her husband's control: she could not gainsay what

²⁰ *Bracton*, II, 31. *Et differunt feminae a masculis in multis, quia earum deterior est condicio quam masculorum.*

²¹ J. C. Holt, 'Feudal Society and the Family in Early Medieval England: IV. The Heiress and the Alien', *TRHS*, Fifth Series, XXXV (1985), 9-10.

²² *Ibid.*, 20.

²³ *Glamvill*, 69-70, 92-94.

²⁴ *Bracton*, II, 77.

²⁵ *Select Charters*, 294 (Magna Carta, 1215, cap. 7).

²⁶ *Bracton*, II, 252; S. H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (London, 1995), 263.

²⁷ Cited in R. C. Palmer, 'Contexts of Marriage in Medieval England: Evidence from the King's Court circa 1300', *Speculum*, LIX (1984), 50 & n. 26. See also P. A. Brand, 'Family and Inheritance, Women and Children', in *An Illustrated History of Late Medieval England*, ed. C. Given-Wilson (Manchester, 1996), 63.

he decided to do with them during his lifetime, nor could she act against his wishes.²⁸ A wife even required her husband's permission to make a will disposing of chattels.²⁹ This raises the question of whether young women from propertied families were simply vehicles for the transfer of lands in accordance with male agendas.

Of course, the giving of marriage portions and inheritance practices that created heiresses may well have mitigated female subordination within marriage. Scott Waugh has demonstrated the crucial importance that the nobility attached to marriage as a valuable instrument for the acquisition of property and for the formation of political alliances between families.³⁰ Husbands appreciated the wealth and connections that their wives brought with them on marriage. The thirteenth-century *Life of William the Marshal* describes how William Marshal paraded his wife, the heiress of Richard fitzGilbert, earl of Pembroke, before the barons of Leinster, urging them to be loyal to the daughter of the lord who had given them their lands.³¹ Rowena Archer has suggested that mutual support and co-operation often characterised relations between husbands and wives of the landholding classes in managing and preserving their estates.³² Women's property rights cannot be divorced from their social setting.

Nevertheless, 'life cycle is essential in interpreting the significance of any inheritance practice for women'.³³ Widowhood confused gender differences. Under the common law, the widow of a free tenant was entitled to a life interest in a third of her deceased husband's lands as dower.³⁴ A widow could also expect to retain control of her own inheritance, if she was an heiress, and her marriage portion after her husband's death.³⁵ Moreover, as a *femme sole*, a widow assumed many of the public responsibilities of a male household head, overseeing the performance of services and payment of

²⁸ *Glanvill*, 135; Brand, 'Family and Inheritance', 65.

²⁹ *Glanvill*, 80; *Bracton*, II, 179.

³⁰ S. L. Waugh, *The Lordship of England: Royal Wardships and Marriages in English Society and Politics 1217-1327* (Princeton, 1988), 36-37, 52.

³¹ *Maréchal*, II, 123 ll. 13532-13544.

³² R. E. Archer, '"How ladies... who live on their manors ought to manage their households and estates": Women as Landholders and Administrators in the Later Middle Ages', in *Woman is a Worthy Wight: Women in English Society c. 1200-1500*, ed. P. J. P. Goldberg (Stroud, 1992), 149-181.

³³ Stafford, 'Women and the Norman Conquest', 239.

³⁴ *Glanvill*, 59; *Bracton*, II, 265. This was subject to subtle changes in definition in the thirteenth century. See Biancalana, 'Widows at Common Law', 255-329.

³⁵ See *Select Charters*, 294 (Magna Carta, 1215, cap. 7).

dues owing from her holding.³⁶ The evidence from thirteenth-century Lincolnshire allows us to compare the levels of autonomy enjoyed by noble, gentle, urban and peasant widows.

Conducting a regional survey of women in thirteenth-century England makes it easier to carry out a more detailed and in-depth study of women than would otherwise be possible, and one more sensitive to chronological trends. I have chosen Lincolnshire because it was a well-established county in the thirteenth century, located within the pre-Conquest area of Scandinavian settlement on the eastern side of England known as the Danelaw.³⁷ In 1085, *Domesday Book* had recorded 21,374 people in the county, suggesting a total approximate population of 120,000 people.³⁸ By the beginning of the fourteenth century, however, the number of residents had probably more than trebled and stood at around 400,000 people.³⁹

The thirteenth century was an important period of economic growth in Lincolnshire. Local markets became established across the county so that by the last quarter of the century over fifty towns and villages were holding chartered markets.⁴⁰ There were also a large number of chartered fairs, with those at Boston and Stamford attracting buyers and sellers from across England.⁴¹ The geographical terrain of the county varied widely, ranging from the fens in the south east and the Wolds in the north east, to the heaths that characterised the western areas.⁴² Fishing was an important occupation on the coast and on the numerous inland rivers like the Witham, while sheep farming and wool production were particularly extensive in the fens and Wolds.⁴³ Grain, wool and cloth were exported to Scandinavia and the Low Countries through the port of Grimsby, while similar commodities, in addition to salt from the Lindsey marshes and lead from the distant Peak District and Mendips, were exported through Boston, whose trading connections stretched from Iceland to the Mediterranean.⁴⁴ Lincoln, the county town of Lincolnshire, was by far the largest urban settlement in the region whose

³⁶ See, for example, Archer, "How ladies... who live on their manors", 162; Bennett, *Women in the Medieval English Countryside*, ch. 6.

³⁷ For Lincolnshire before the Norman Conquest, see P. Stafford, *The East Midlands in the Early Middle Ages* (Leicester, 1985).

³⁸ G. Platts, *Land and People in Medieval Lincolnshire* (Lincoln, 1985), 11.

³⁹ *Ibid.*, 11.

⁴⁰ *Ibid.*, 135-139, 296-304.

⁴¹ *Ibid.*, 142-144.

⁴² See Appendix I.

⁴³ Platts, *Land and People*, 125-128.

⁴⁴ *Ibid.*, 145-149.

population was probably around 7,000 people in the late twelfth century.⁴⁵ It was also the centre of a particularly large and prosperous bishop's see, which covered nine and a half counties of eastern England.⁴⁶

From a religious perspective, Lincolnshire was special because it was home to England's only native religious order, the Gilbertine Order, founded by St. Gilbert of Sempringham, the son of a Norman knight, in the twelfth century.⁴⁷ Although an examination of the role of religious women in Lincolnshire is beyond the scope of this present study, it should be noted that particularly extensive provision was made for nuns in this county. The Gilbertines catered predominantly for women and the thirteenth-century *Life* of St. Gilbert describes how the first Gilbertine community was established when St. Gilbert oversaw the enclosure of seven local women who wished to lead a chaste and holy life, under the wall of the parish church of Sempringham.⁴⁸ By c. 1200 approximately 680 nuns and lay sisters, and 340 canons and lay brethren resided in the Gilbertine double houses at Sempringham, Haverholme, Alvingham, Bullington, Nun Ormsby, Catley and Sixhills in Lincolnshire.⁴⁹ In addition to these, seven 'Cistercian' nunneries had been established at Fosse, Gokewell, Greenfield, Heynings, Legbourne, Nun Cotham and Stixwold,⁵⁰ together with a Premonstratensian nunnery at Orford⁵¹ and a Benedictine nunnery at Stainfield.⁵²

Thirteenth-century Lincolnshire is well suited to a survey of the lives of laywomen because there is an abundance of source material for women from all social levels. The Crown's legal records for this county are particularly plentiful with eyre rolls dating from the visitation of 1202. Bishops' registers survive for the diocese of Lincoln from 1209 onward, whose information can be supplemented by a large number of cartularies from local religious houses and original charters preserved in the Public Record Office, the British Library and the Lincolnshire Archives Office. There are also manorial rentals, custumals and surveys, which can be used to examine the lives of women of the lowest ranks, while the ladies of the Lincolnshire aristocracy make occasional appearances in chronicles.

⁴⁵ J. W. F. Hill, *Medieval Lincoln* (Cambridge, first published 1948, reprinted at Stamford 1990), 187.

⁴⁶ D. M. Owen, *Church and Society in Medieval Lincolnshire* (Lincoln, first published 1971, reprinted 1990), 20-36.

⁴⁷ See *The Book of St. Gilbert*, ed. and trans. R. Foreville and G. Keir (Oxford, 1987); B. Golding, *Gilbert of Sempringham and the Gilbertine Order c. 1130-c. 1300* (Oxford, 1995).

⁴⁸ *The Book of St. Gilbert*, 31-35.

⁴⁹ *Ibid.*, xxxiii.

⁵⁰ S. Thompson, *Women Religious: The Founding of English Nunneries after the Norman Conquest* (Oxford, first published 1991, reprinted 1996), 95 n. 7, 221, 222, 224, 226, 229.

⁵¹ *Ibid.*, 133, 140-141, 142, 144, 147, 184, 227.

⁵² *Ibid.*, 141, 144-145, 185, 229.

The evidence for Lincolnshire has potential drawbacks for the historian interested in women, however. Problems are presented by the sources that have not survived. The Lincolnshire material includes a few wills but no household rolls and no personal correspondence like that for the fifteenth-century Paston women. Even the sources that are extant rarely reveal women's personal concerns first hand. Women's own voices are rarely heard across the centuries because women's education was much more limited than that of men from the central Middle Ages onwards. Admittedly, the relatively widespread evidence for female book ownership among the nobility suggests that many women of this social status could at least read French and some Latin, and played an important role in the early education of their children.⁵³ Twelfth-century Lincolnshire can furnish several examples of aristocratic ladies who were literary patrons. Sanson de Nantuil produced a vernacular translation of the first nineteen chapters of the Book of Proverbs with a commentary for Alice, wife of Robert de Condet, who was alive in 1154.⁵⁴ Constance, wife of Ralph fitzGilbert, whose main family residence lay in the Witham valley, patronised Geoffrey Gaimar's production of the *Estoire des Engleis* in c. 1135-1140.⁵⁵ Nevertheless, women faced general exclusion from grammar schools and universities, and their access to careers within the Church was severely restricted.⁵⁶ Men wrote all the main chronicles of thirteenth-century England, and male officials and male scribes usually compiled formal records. Let us now examine what these written sources reveal about the women who lived in thirteenth-century Lincolnshire.

⁵³ S. G. Bell, 'Medieval Women Book Owners: Arbiters of Lay Piety and Ambassadors of Culture', in *Women and Power in the Middle Ages*, ed. M. Eder and M. Kowaleski (Athens, Georgia, 1988), 149-187; M. T. Clanchy, *From Memory to Written Record: England 1066-1307* (Oxford, second edition, 1993), 188-196, 217-218, 251-252.

⁵⁴ I. Short, 'Patrons and Polyglots: French Literature in Twelfth-Century England', in *ANS XIV*, 243.

⁵⁵ I. Short, 'Gaimar's Epilogue and Geoffrey of Monmouth's *Liber vetustissimus*', *Speculum*, LXIX (1994), 323-343.

⁵⁶ Clanchy, *From Memory to Written Record*, 189; H. Jewell, *Women in Medieval England* (Manchester, 1996), 17. See also J. L. Nelson, 'Gender and Genre in Women Historians of the Early Middle Ages', in *The Frankish World 750-900* (London, 1996), 183-197. For schools in late medieval Lincolnshire, see Platts, *Land and People*, 265-266.

Chapter 1: Noblewomen

She was, I say, a prudent and chaste woman, well equipped to rule her household, as highly skilled in preserving her property within doors as in increasing it out of doors.¹

[Gerald of Wales on Matilda de St. Valery (1188)]

Gerald of Wales's description of Matilda de St. Valery, wife of the Welsh Marcher lord William de Braose, contrasts sharply with the image of a meek and submissive wife in need of male guidance. Matilda was portrayed instead as an extremely competent estate and household administrator. This chapter will explore whether similarly capable noblewomen existed in thirteenth-century Lincolnshire and will ask if it was possible for aristocratic women to be more than mere adjuncts to their fathers, husbands and sons. Owing to the weight of evidence, the lives of three Lincolnshire noblewomen have been selected for scrutiny here: Nicholaa de la Haye, castellan of Lincoln (d. 1230); Hawise de Quency, countess of Lincoln (d. 1243); and Margaret de Lacy, countess of Lincoln (d. 1266). The experiences of all three ladies shed valuable light on the roles of aristocratic women as both instruments for the safeguarding and promotion of family interests, and agents in their own right.

I. Nicholaa de la Haye

The eventful career of Lady Nicholaa de la Haye, heiress of the Lincolnshire barony of Brattleby, raises some interesting questions about the interaction of social status, personal ability, gender and life-cycle in shaping a noblewoman's life in thirteenth-century England. Born in the mid-twelfth century, Nicholaa outlived two husbands, William fitzErneis, who died in c. 1178, and Gerard de Camville, who died in c. 1215. The closing months of King John's reign and the opening years of King Henry III's minority not only saw her directing the royalist defence of Lincoln castle against the supporters of the French Prince Louis but also saw her created sheriff of the county and therefore a prominent female player in the masculine realm of government office.²

The appointment of a female to such an important position in local government was almost unique and renders Nicholaa worthy of special attention. The first section of this case study will investigate Nicholaa's family background and her role as a wife during her two marriages. The second section will focus on Nicholaa's sixteen years of widowhood when she is at her most visible in the sources as a royal official during the crisis years of 1216-1217. Her assistance to the winning side in the civil war

¹ *Gerald of Wales: The Journey through Wales and the Description of Wales*, ed. and trans. L. Thorpe (London, first published 1978, reprinted 1988), 83.

² Hitherto the most recent study of Nicholaa's life has been C. Petit-Dutaillis, 'Une Femme de Guerre au XIII^e Siècle: Nicole de la Haie, Gardienne du Chateau de Lincoln', in *Mélanges Julien Havet. Recueil de Travaux D'Érudition Dedicés A La Mémoire de Julien Havet (1853-1893)* (Paris, 1895), 369-380.

did not go unnoticed by male chroniclers. Yet their comments, although mostly favourable, reveal the essential paradox of her situation; she was a woman performing a man's traditional duties. No feminine vocabulary existed to express what she was doing and a certain amount of justification was required. Hence her portrayal in the Dunstable annals as a *nobilis mulier* (noble woman) who behaved *viriliter* (manfully).³

Family Background and Inheritance

As the eldest of three co-heiresses to her father's English and Norman lands, Nicholaa de la Haye was a potentially valuable vehicle for the transfer of his landed wealth and connections to a new family on marriage. It is therefore only fitting that this study should begin by placing Nicholaa firmly within the context of her natal family.⁴ The la Hayes took their name from the honour of La Haie-Du-Puits in Normandy,⁵ and the property that they acquired in England after the Norman Conquest represented the fruits of their service to the Anglo-Norman kings. Nicholaa's grandfather, Robert, was probably the same Robert de la Haye who served Henry I in Normandy as a justice, baron of the exchequer and steward (*dapifer*).⁶ It was through his judicious, and no doubt royally approved, marriage to an English heiress that the Lincolnshire lands came into his hands. Robert married Muriel, daughter of Colswein of Lincoln, the English thegn who held Brattleby in 1086.⁷ When Muriel's elder brother died without issue, Muriel and Robert succeeded to his estates.⁸

It was not just Nicholaa's grandfather who benefited from an advantageous marriage; her father, Richard, married Matilda, daughter of William de Vernon.⁹ Although Matilda was not a great heiress like her mother-in-law,¹⁰ her father was an important figure and served as a justice of Normandy

³ *Ann. Mon.*, III, 49.

⁴ See Appendix II.

⁵ Petit-Dutaillis, 'Une Femme de Guerre', 369 n. 1; F. M. Powicke. *The Loss of Normandy, 1189-1204: Studies in the History of the Angevin Empire* (Manchester, second edition 1961, reprinted 1963), 342.

⁶ J. Le Patourel, *Feudal Empires: Norman and Plantagenet* (London, 1984), 34-35; J. A. Green, *The Government of England under Henry I* (Cambridge, 1986), 258.

⁷ For Colswein's lands, see *The Lincolnshire Domesday and the Lindsey Survey*, ed. and trans. C. W. Foster and T. Longley (LRS, XIX, first published 1924, reprinted 1976), 118-124.

⁸ *CDF*, xlviii-xlix, 329-330 no. 923. Robert was in possession of Colswein's lands by the time of the Lindsey Survey (1115-1118). See, for example, *The Lincolnshire Domesday*, 238 (1/12), 239 (2/10), 239-240 (2/11), 240-241 (3/1), 241 (3/4), 243 (6/4), 251 (11/16).

⁹ *Rot. Dom.*, 12.

¹⁰ Her brother Richard inherited the castle and honour of Vernon. See *Rot. Dom.*, 12 n. 2; *RB*, II, 630.

under both Geoffrey of Anjou and Henry II.¹¹ When Richard died in c. 1169, he was survived by his wife and three daughters but no sons.¹² The *Ladies Roll* of 1185 reveals that his widow received the manor of Swaton as her dower, the value of which was then assessed at £30 per annum.¹³ With regard to his living offspring, his three daughters, Nicholaa, Julia (or Gila) and Isabella, each stood to receive a third of Richard's estates as co-heiresses.¹⁴ In order to understand Nicholaa's attraction as a marriage partner for both her husbands, we need to define much more closely the nature of her inheritance.

Although it has proved impossible to uncover the full details of the family settlement on Richard de la Haye's death, a number of clues survive as to who received what. A charter of confirmation issued by King Richard I in 1189 to Nicholaa and her second husband, Gerard de Camville, reveals that Nicholaa had inherited lands in both England and Normandy, although no information was provided as to their precise value, size and location.¹⁵ The same document also referred to 300 librates of land in Poupeville and Varreville (Normandy) that were then in the possession of Richard de Humet, husband of Nicholaa's sister Julia.¹⁶ Another royal charter, issued on 20 June 1190, was subsequently to confirm both Richard and Julia in possession of Poupeville and Varreville as Julia's inheritance.¹⁷ Unfortunately, no similar royal charter survives which confirmed Nicholaa's other sister, Isabella, in possession of her la Haye lands and exactly what she received remains a mystery.¹⁸

The existing la Haye settlement was modified in c. 1197. A legal case of 1231 spoke of a final concord made at Caen, 'at least two years before King Richard's death' (*ad minus per duos annos ante mortem regis Ricardi*), between the daughters of Richard de la Haye.¹⁹ Under the terms of this agreement, all the lands in England remained with Nicholaa and Gerard, while all the lands in Normandy were divided between Julia and Isabella and their husbands. The manner in which

¹¹ RRAN, 22 no. 57, 286 no. 779; R. W. Eyton, *Court, Household, and Itinerary of King Henry II* (London, 1878), 24, 25, 70, 188.

¹² *Chronicles of the Reigns of Stephen, Henry II, and Richard I*, ed. R. Howlett (4 vols., RS, 1884-1889), IV, 241.

¹³ *Rot. Dom.*, 12. See Appendix III.

¹⁴ See p. 15 above.

¹⁵ *Anc. Ch.*, 91-93 no. 55.

¹⁶ *Ibid.*, 91-93 no. 55. Richard de Humet was the son of William de Humet, constable of Normandy and castellan of Stamford (Lincs.). See *MRS*, II, clxxxiii-clxxxiv.

¹⁷ *CDF*, 188 no. 535.

¹⁸ Isabella's husband was William de Rolles, who took his name from 'Roullours', the caput of his fief in Normandy. He also held lands from the honour of Richmond in England. See *Rot. Dom.*, 12; *MRS*, II, viii.

¹⁹ *CRR*, XIV, 242-243 no. 1155.

Nicholaa's interests were confined to England suggests that it was possibly her share of the Norman inheritance that had caused contention between her and her sisters. As it transpired, the partitioning of the la Haye inheritance so that Nicholaa received the English lands and her sisters the Norman was both sensible and practical. J. C. Holt has highlighted the difficulties inherent in holding and managing property on both sides of the Channel, not the least of which was the potential for conflicting political loyalties.²⁰ In the case of the la Haye heiresses, this new arrangement proved fortunate. After the loss of Normandy in 1204, Isabella's husband and Julia's son and father-in-law sided with King Philip Augustus on one side of the Channel, while Nicholaa and Gerard remained loyal to King John in England.²¹

The details of the Norman property rights that Nicholaa resigned may be difficult to trace, but ample evidence survives for the English lands. As the eldest co-heiress, Nicholaa de la Haye inherited a modest English barony from her father. In 1166, as a tenant-in-chief, Richard de la Haye had returned eleven knights enfeoffed before 1135, four enfeoffed after that date and five charged on his demesne.²² Richard's barony was originally assessed at sixteen knights and this was what scutage was later charged on.²³

The problem with Richard's *Carta* of 1166 is that it does not disclose the geographical location of the la Haye tenants' holdings. Neither does it identify Nicholaa's demesne manors. The findings of a royal inquiry of 1212, however, reveal that the la Haye tenants' holdings were situated in the Lincolnshire wapentakes of Gartree, Aswardhurn, Aveland, Beltisloe and Loveden, although the main concentration lay in the West Riding of the county.²⁴ The same survey also indicates that Swaton, which had formerly been assigned as Nicholaa's mother's dower, together with the manors of Owmbly, Cherry Willingham, Cammeringham and Brattleby, the caput of the barony, were then held in demesne by Nicholaa and her second husband.²⁵ This picture is enhanced further by the cartulary

²⁰ J. C. Holt, 'Politics and Property in Early Medieval England', *P&P*, LVII (1972), 3-52.

²¹ Julia and Richard de Humet were dead by this date. See *MRS*, II, clxxxiv. William de Humet's and William de Rolles's English lands had been taken into King John's hand by 1205. See *Rot. Norm.*, 131, 134; *ROF*, 266.

²² *RB*, I, 390-391. According to Richard's *Carta*, one knight's fee was equivalent to five carucates (approx. 600 acres). See J. C. Holt, 'The *Carta* of Richard de La Haye, 1166: A Note on "Continuity" in Anglo-Norman Feudalism', *EHR*, LXXXIV (1969), 289-297. Richard also held a sixth of a knight's fee in Bedfordshire, and one knight's fee from Lambert de Scoteny and two knights' fees from the bishop of Durham in Lincolnshire. See *RB*, I (1166 inquiry), 320, 385, 416.

²³ I. J. Sanders, *English Baronies: A Study of their Origin and Descent 1086-1327* (Oxford, 1960), 109 n. 2; *Pipe Roll 1211*, 58.

²⁴ The la Haye property appeared in Gerard de Camville's hands in 1212. See *BF*, I, 169, 170, 179, 180, 183, 186, 192. See Appendix III.

²⁵ *Ibid.*, I, 180, 188, 192. Nicholaa also inherited half a carucate of land in Candleshoe wapentake. See *Ibid.*, I, 163. See Appendix III.

of Castle Acre Priory in Norfolk, which records a whole series of donations to this religious foundation made by Nicholaa, her father and grandfather, from lands in Sutton and Lutton, which they held from the Montbegon family.²⁶

In addition to being the heiress of a barony, Nicholaa also possessed a claim to be hereditary castellan of Lincoln. Both her grandfather and her father had received this office by royal grant,²⁷ and Richard I's charter of 1189 confirmed Nicholaa and her second husband in possession of her inherited lands 'with the [service of] castle-ward and the constableness of the castle of Lincoln' (*cum custodia et Constabularia ca[ste]lli Lincolnie*).²⁸ It has been suggested that Nicholaa also carried with her a claim to the shrievalty of Lincolnshire. Whilst conceding that the charter of 1189 made no reference to such an arrangement, J. H. Round believed it significant that, shortly after the charter was issued, Nicholaa's second husband secured possession of both Lincoln castle and the shrievalty.²⁹ He also found a passage in William of Newburgh, which apparently implied that the constableness of the castle and the office of sheriff went together.³⁰ There is, however, no evidence that either Nicholaa's father or her first husband fulfilled the duties of sheriff in this county.³¹

Nicholaa's Marriages

Nicholaa's Lincolnshire inheritance could offer a useful power base for a man who wished to establish or extend his influence in the locality in much the same way as Nicholaa's grandfather, Robert, had done. Whether Nicholaa's first husband, William fitzErneis, was able to realise its potential is difficult to tell, partly because of the scarcity of surviving Crown records for Henry II's reign in comparison with later reigns, and partly because this marriage only lasted a few years. William fitzErneis is first found in possession of the la Haye barony, as we would expect him to be as Nicholaa's husband, in the pipe roll of Michaelmas 1175, suggesting that they were married by this

²⁶ For a charter of Roger de Montbegon, referring to the la Haye family's fee, see BL, Harley MS. 2110, f. 73.

²⁷ Hill, *Medieval Lincoln*, 87; *Anc. Ch.*, 58-59 no. 36.

²⁸ *Anc. Ch.*, 91-93 no. 55. We do not know if Nicholaa transmitted this claim to her first husband.

²⁹ *Anc. Ch.*, 92n. The pipe roll for Michaelmas 1190 recorded that Gerard had agreed to pay 700 marks *pro vicecomitatu Lincolnie et castello civitatis habendis*. See *Pipe Roll 1190*, 89. See also J. H. Round, 'The Early Sheriffs of Norfolk', *E HR*, XXXV (1920), 495.

³⁰ *Anc. Ch.*, 92n. The passage from William of Newburgh was this: *Gerardus de Camvilla, vir dives et nobilis, summa non modica emerat a rege castelli Lincolnensis custodiam, quae uxori ejus jure hereditario competere videbatur, necnon et adjacentis provinciae praesidatum ad tempus certum*. See *Chronicles of the Reigns of Stephen, Henry II, and Richard I*, 337.

³¹ See *List of Sheriffs for England and Wales. From the Earliest Times to A. D. 1831* (PRO Lists and Indexes, IX, Kraus reprint 1963), 78.

date.³² He featured in this and the following pipe roll, answering for Richard de la Haye's debts owing from the scutage of Ireland,³³ and also replied for the moneys owing from Richard's fee in the Michaelmas 1176 roll.³⁴ By the time that the roll for Michaelmas 1178 was compiled, Nicholaa was a widow and Jocelin of Ingleby, a la Haye tenant, rendered account for £13 19s. from the revenue of the land that her late husband had held in her right.³⁵

The texts of two charters that were issued by William fitzErneis have survived in Castle Acre Priory's cartulary and reveal a little about his family background. The first charter was witnessed by a relation of his, Oliver fitzErneis, while the second charter stated that William's gift of three acres of land in Sutton for the building of a parish church was being made for the souls of his father, Robert fitzErneis, and his unnamed mother.³⁶ Perhaps William's father was the same person as, or maybe the father of, the Robert fitzErneis whose lands later escheated to the Crown, following the loss of Normandy. According to a 1219 inquiry, this Robert had formerly held twenty pounds' worth of land in Hemingby, Bucknall and Horsington in Lincolnshire.³⁷ Later royal surveys referred to the Norfolk manors of Warham and Wells *quod ... fuerunt Roberti Hernisii, Normanni*,³⁸ and spoke of other property in Great Massingham in Norfolk, a place situated approximately five miles from Castle Acre Priory.³⁹ Richard de la Haye and Robert fitzErneis were acquainted with one another in Normandy and had both witnessed a charter issued by the future King Henry II there in 1151-1153.⁴⁰

Although it is not clear what happened after William fitzErneis died, Nicholaa de la Haye's marriage presumably came into the king's gift as a widowed female tenant-in-chief.⁴¹ By 1185, she had remarried and her new husband was Gerard de Camville.⁴² We cannot know for certain whether

³² *Pipe Roll 1175*, 148.

³³ *Ibid.*, 148; *Pipe Roll 1176*, 79.

³⁴ *Pipe Roll 1176*, 78.

³⁵ *Pipe Roll 1178*, 8.

³⁶ BL, Harley MS. 2110, f. 70v (x2).

³⁷ *BF*, I, 284.

³⁸ *Ibid.*, I (1226-1228), 388.

³⁹ *Ibid.*, I (1237), 619. The 1237 survey also spoke of the Essex manors of Depden, worth £50 per annum, and Hatfield Peverel, worth £30 per annum.

⁴⁰ *Recueil des Actes de Henri II Roi D' Angleterre et Duc de Normandie concernant Les Provinces Francaises de Les Affaires De France*, ed. L. Delisle (4 vols., Paris, 1909-1927), I, 36.

⁴¹ Waugh, *The Lordship of England*, 68-69.

⁴² *Rot. Dom.*, 12.

Nicholaa was able to exercise any choice in the selection of either of her husbands. Nevertheless, it is her second marriage, lasting over thirty years and coinciding with the survival of a greater volume of source material, which best illustrates the opportunities for social and political advancement that marriage to Nicholaa could bring. The Camvilles, like the la Hayes, were established servants of the Crown. Gerard's father, Richard de Camville, was a commander of Richard I's fleet for the 1190 expedition to the Holy Land.⁴³ Gerard himself witnessed at least eleven charters issued by Henry II between c. 1172 and 1189.⁴⁴ It was undoubtedly these court connections that enabled Gerard to secure Nicholaa's hand in marriage. There are signs that a close association already existed between the la Haye and Camville families away from the royal court. The Camvilles took their name from a place in the region of La Haie-du-Puits and the cartulary of the leper hospital of Bolleville, situated near La Haie-du-Puits, records gifts from both Gerard's and Nicholaa's relations to this house.⁴⁵

Gerard de Camville's marriage to Nicholaa also made sense within the context of his family's English lands. This alliance provided him with a valuable and concentrated English landed base. Within Lincolnshire itself, Gerard's father had only held four knights' fees as a tenant of William de Roumare in 1166.⁴⁶ The Camvilles had, of course, acquired English property in other counties. Gerard's inheritance from his father was to include land valued at £30 in King's Sutton in Northamptonshire,⁴⁷ two knight's fees in Charlton and Henstridge in Somerset⁴⁸ one knight's fee in Middleton Stoney in Oxfordshire,⁴⁹ and various other holdings in Wiltshire⁵⁰ and Berkshire.⁵¹ Nevertheless, it was Nicholaa's inheritance that exercised by far the greatest influence on Gerard's political career. The Lincolnshire lands and connections that Gerard acquired through marriage were clearly instrumental

⁴³ *Flores Historiarum*, ed. H. G. Hewlett (3 vols., RS, 1886-1889), I, 181, 186. Richard was appointed joint governor of Cyprus in 1191 and died later that year at the siege of Acre. See W. Dugdale, *The Baronage of England* (London, 1675), 627.

⁴⁴ *Acta of Henry II and Richard I*, ed. J. C. Holt and R. Mortimer (List and Index Soc. Special Series, XXI, 1986), 27 no. 5, 42 no. 37, 55 no. 65, 61-62 no. 80, 77 no. 112, 78 no. 115, 86-87 no. 133, 117-118 nos. 198-199, 130-131 no. 226, 159 no. 288.

⁴⁵ See Petit-Dutaillis, 'Une Femme de Guerre', 369 n. 1.

⁴⁶ RB, I, 378.

⁴⁷ RB, I (1154-1155), 655, I (1155-1156), 673. Gerard controlled this property before his father's death. See *Pipe Roll 1186*, 1.

⁴⁸ These two fees were held as dower by Nicholaa after Gerard's death. See ERF, I, 207.

⁴⁹ Royal inquiries of 1212 and 1235-1236 (BF, I, 103, 449) referred to half a knight's fee in Middleton Stoney but Gerard's Oxfordshire property was assessed at one knight's fee in all other surveys between 1190 and 1236. See RB, I (1190-1191), 70, I (1194-1195), 83, I (1196-1197), 100, I (1199-1200), 123, I (1201-1212), 177; BF, I (1235-1236), 451, I (1235-1236), 455.

⁵⁰ RB, II (1210-1212), 483.

⁵¹ *Ibid.*, I (1194-1195), 93, I (1196-1197), 108, I (1199-1200), 127, I (1201-1212), 143.

to his subsequent appointment as sheriff of this particular county in 1189 and 1190.⁵² This is not to underestimate Gerard's personal ability as an administrator. He also held the post of sheriff from 1199 to 1205 under King John⁵³ and served as a royal justice during the 1208-1209 eyre on the circuit covering the eastern counties.⁵⁴

Nicholaa as a Wife

In the light of Nicholaa de la Haye's value to her husbands as an heiress, it would be useful to look more closely at her role as a wife and analyse her level of control over family matters during her years of matrimony. The cartularies of Castle Acre Priory in Norfolk and Combe Abbey in Warwickshire are particularly useful in this respect. Castle Acre was a Cluniac house patronised by the la Hayes⁵⁵ and Combe was a Cistercian house founded by Gerard's father.⁵⁶ The cartularies from both these institutions contain charters issued during Nicholaa's marriages. The pattern and nature of the benefactions, not to mention the language employed by these documents, all assist an understanding of Nicholaa's importance as a wife.

The Castle Acre Priory cartulary incorporates two charters of Nicholaa's first husband, William fitzErneis,⁵⁷ and four charters of Nicholaa's second husband, Gerard de Camville.⁵⁸ It also includes two charters of Nicholaa's grandfather, Robert,⁵⁹ three charters of Nicolaa's father,⁶⁰ and two charters of Nicholaa's paternal uncle,⁶¹ all relating to lands and rights in Sutton and Lutton in Lincolnshire. The adoption by both husbands of an established la Haye association with this foundation reinforces the impression that Nicholaa's lands and connections were highly prized; no other members of William's or Gerard's families had patronised Castle Acre before the marriages. This shift in interests, a shift for which it seems reasonable to assume that Nicholaa shared some personal responsibility,

⁵² R. R. Heiser, 'Richard I and His Appointments to English Shrievalties', *E HR*, CXII (1997), 3. Gerard was removed from office in 1194. See *List of Sheriffs*, 78.

⁵³ *List of Sheriffs*, 78.

⁵⁴ *ELAR*, 280.

⁵⁵ See BL, Harley MS. 2110, ff. 70-73.

⁵⁶ See BL, Cotton. Vit. MS. A. I., f. 37. The foundation charter is printed in *M4*, V, 584 no. i.

⁵⁷ BL, Harley MS. 2110, f. 70v (x2).

⁵⁸ *Ibid.*, ff. 55, 71 (x3).

⁵⁹ *Ibid.*, f. 70 (x2).

⁶⁰ *Ibid.*, ff. 70 (x2), 70v (x1).

⁶¹ *Ibid.*, f. 70v (x2).

gains added significance when considered against the background of Gerard de Camville's patronage of his father's foundation of Combe Abbey. Just two charters issued by Gerard were entered in the Combe cartulary, and one of these was a confirmation of his father's foundation charter.⁶²

The eight charters of William fitzErneis and Gerard de Camville are the only documents in both cartularies which can be dated to the years of Nicholaa's marriages; there is no evidence that Nicholaa was able to issue her own charters or make independent grants of property while she was a wife.⁶³ Fortunately, seven of her husbands' charters mention Nicholaa,⁶⁴ thereby providing another window onto Nicholaa's role as a wife. Gerard de Camville's grants to Combe Abbey were made *pro salute anime mee et uxoris mee*, Nicholaa was not specifically named and it was the souls of Gerard's father and mother rather than those of Nicholaa's parents, who were cited as beneficiaries. Within the context of Camville lands and interests, Nicholaa was important as a mother who would continue the Camville line through the children she bore.⁶⁵

Although similar phraseology was employed in Nicholaa's husbands' Castle Acre Priory charters, their grants were often made to assist the souls of Nicholaa's predecessors as well as those of their own relations. One of William fitzErneis's charters was made *pro salute anime mee et uxoris mee Nicholae... et pro anima Ricardi de Haia*.⁶⁶ Nicholaa's symbolic function in these documents, as the heiress through whom her husbands derived their title to the la Haye lands, was to legitimise her husband's actions, to appear as an agent of continuity between the old lords and the new. Hence the increased emphasis that these gifts and confirmations had been made *concessu Nicholae uxoris mee* ('with the agreement of Nicholaa my wife'),⁶⁷ *cum assensu et uoluntate Nicholae uxoris mee et heredum meorum* ('with the assent and will of Nicholaa my wife and of my heirs'),⁶⁸ *consilio et assensu Nicholae uxoris mee et heredum meorum* ('with the counsel and assent of Nicholaa my wife and of my heirs').⁶⁹

⁶² BL, Cotton. Vit. MS. A. I., ff. 39, 120.

⁶³ All save one of the charters issued by Nicholaa alone in the Castle Acre Priory cartulary, for example, stated that she was in her widowhood. See BL, Harley MS. 2110, ff. 71, 71v (x2), 71v-72, 72 (x2), 72-72v, 72v (x3). Even in the one exception (f. 73), Nicholaa appears to have been a widow when it was drawn up; the text contains no reference to her husbands and is her last charter entered in the collection.

⁶⁴ One of Gerard de Camville's charters, recording a grant of land in Sutton, did not refer to Nicholaa, although the land in question seems to have formed part of her inheritance. See *Ibid.*, f. 71.

⁶⁵ BL, Cotton Vit. MS. A. I., ff. 39, 120. The second charter was *pro salute anime mee et uxoris mee et heredibus meorum et pro animabus patris et matris mee et omnium antecessorum et parentum et amicorum meorum in puram et perpetuam elemosinam*, identifying Nicholaa firmly with the Camville family.

⁶⁶ BL, Harley MS. 2110, f. 70v.

⁶⁷ *Ibid.*, f. 70v.

⁶⁸ *Ibid.*, f. 71.

⁶⁹ *Ibid.*, f. 71.

Other sources, however, suggest more strongly that Nicholaa was active in the promotion of family interests during her second marriage. The clearest picture of Nicholaa working in partnership with Gerard de Camville is in the chronicle of Richard of Devizes and concerns the events of 1191.⁷⁰ The role that Gerard allowed Nicholaa to play in this year was in large part a reflection of the value that he placed on her inherited wealth and connections but also testifies to her personal ability. During Richard I's absence on crusade, the King's chancellor, William Longchamp, bishop of Ely, fell out with the king's brother John and Gerard de Camville became entangled in their dispute. When Longchamp attempted to deprive Gerard of the shrievalty of Lincolnshire and the custody of Lincoln castle, a military confrontation ensued.⁷¹ According to Richard of Devizes's account of what followed, while Gerard was with John, no doubt helping him to secure the castles of Nottingham and Tickhill, 'his wife, Nicholaa, not thinking about anything womanly, defended the castle manfully' (*uxor eius Nicolaa nichil femineum cogitans, castellum viriliter custodiebat*).⁷²

Richard's sympathetic description of Nicholaa de la Haye's actions contrasts strongly with his less complimentary treatment of her husband; he had characterised Gerard de Camville earlier in his narrative as a 'factious man, prodigal of his allegiance' (*homo factiosus et fidei prodigus*).⁷³ Richard's choice of language to describe Nicholaa's qualities as a military leader implies that, although the role which she adopted was unusual for a woman, her performance in his eyes was all the more praiseworthy because of her sex.⁷⁴ Yet it may also have been intended to highlight the less satisfactory conduct of Nicholaa's husband. It was a wise move by Gerard to place Nicholaa, the living focus for loyalties to the la Haye family, in charge of Lincoln castle at a time when their standing in the locality was of paramount importance. Furthermore, his decision to leave Nicholaa, rather than a male deputy, in command of the garrison on this occasion indicates that she played an important role in the day-to-day running of her inheritance under more stable conditions. Lincoln was, after all, a particularly large and strategically significant castle, situated on a high ridge that

⁷⁰ Richard of Devizes was a monk of St. Swithun's, Winchester, who wrote an account of the early years of King Richard I's reign (up to 1192) between 1192 and 1198. See A. Gransden, *Historical Writing in England, c. 550 to 1307* (London, first published 1974, reprinted 1996), 247.

⁷¹ See J. H. Ramsay, *The Angevin Empire or the Three Reigns of Henry II, Richard I and John* (London, 1903), 308-309.

⁷² *The Chronicle of Richard of Devizes of the Time of King Richard the First*, ed. and trans. J. T. Appleby (London, 1963), 31. I have amended Appleby's translation. Longchamp's siege of Lincoln was only lifted through the archbishop of Rouen's intervention; he persuaded John and the chancellor to negotiate a truce. See Ramsay, *The Angevin Empire*, 309-310.

⁷³ *Richard of Devizes*, 30.

⁷⁴ See p. 35 below for a more detailed discussion on attitudes towards women and war.

looked out to the west over the Trent valley.⁷⁵ The pipe roll for 1191 reveals that mercenary soldiers were employed for forty days on the siege of Lincoln castle.⁷⁶ It was no mean feat on Nicholaa's part to withstand a siege for over a month.

Neither Gerard's nor Nicholaa's actions went unpunished by King Richard on his return in 1194. During a great council held at Nottingham in the spring, Gerard was deprived of both the castle and shrievalty of Lincoln for the remainder of the reign.⁷⁷ It is undoubtedly against this backdrop that both Gerard's payment of 2,000 marks for having the king's good will and his lands (*pro habenda benevolentia domini Regis et pro terris suis habendis*), and Nicholaa's proffer of 300 marks so that her daughter might marry whom she pleased (*pro maritanda filia sua ubi voluerit*), recorded on the pipe roll for Michaelmas that year should be seen.⁷⁸

Nicholaa as a Widow: I. Castellan and Sheriff

Gerard de Camville had died and his wife Nicholaa had been widowed by 15 January 1215, when their son, Richard, was placed in possession of his deceased father's property at Middleton Stoney.⁷⁹ Instead of retiring into a nunnery, Nicholaa remained in the secular world, administering her dower and her la Haye inheritance as a *femme sole*.⁸⁰ What is particularly interesting for the historian of gender is that it was during the early years of her renewed widowhood that she really came to the fore in public life, assuming the masculine roles of castellan of Lincoln and sheriff of Lincolnshire. The political situation in England holds the key to Nicholaa's extraordinary career; it should be seen against the background of baronial opposition to King John, his acceptance then rejection of Magna Carta, the subsequent descent of the country into civil war in autumn 1215, and the landing of Prince Louis of France at Thanet in May 1216.⁸¹

⁷⁵ Hill, *Medieval Lincoln*, 82-86.

⁷⁶ *Pipe Roll 1191*, 1.

⁷⁷ Ramsay, *The Angevin Empire*, 336.

⁷⁸ *Pipe Roll 1194*, 118-119. This was probably a daughter from Nicholaa's first marriage. For the use of proffers as a form of political discipline by the Angevin kings, see J. C. Holt, *The Northerners: A Study in the Reign of King John* (Oxford, first published 1961, reprinted 1992), 178-186. See also T. K. Keefe, 'Proffers for Heirs and Heiresses in the Pipe Rolls: Some Observations on Indebtedness in the Years before the Magna Carta (1180-1212)', *HSJ*, V (1993), 99-109.

⁷⁹ *RLP*, 127.

⁸⁰ See pp. 39-40 below.

⁸¹ See D. A. Carpenter, *The Minority of Henry III* (London, 1990), 5-12.

The closing months of John's reign saw the king clutching at straws for the survival of his Crown. Indeed, the severity of the situation on his death in October 1216 provoked contemporary comment that the cause of Henry, his young son and heir, was desperate.⁸² Government records also reveal that Nicholaa rose to prominence as King John's fortunes deteriorated and, in particular, as Lincoln became a focal point for loyalist resistance. Whereas Nicholaa received just three royal letters in 1215, twenty-eight royal letters close and patent were either addressed or concerned matters relating directly to her between January 1216 and King John's death. The instructions that Nicholaa received show that her sex posed no obstacle to the duties that she was expected to perform as castellan. As the political situation deteriorated, this role assumed added importance when she was often directed by the king to assign loyalists the confiscated lands of local rebels. Geoffrey de Neville, the king's chamberlain, for example, received property in Nicholaa's jurisdiction that had formerly belonged to a member of the Kyme family.⁸³

By far the most important task that Nicholaa performed was defending Lincoln castle against the king's enemies. Already in April 1215, King John had provided that Nicholaa should have six crossbows with stirrups (*balistas ad strumum*) and two wooden crossbows (*balistas ad turnum ligneas*) to fortify Lincoln castle.⁸⁴ This proved a timely addition to the castle's defences. According to the 'Barnwell' chronicle, during Whitsun week (7-14 June) 1215, just before King John met the barons at Runnymede, a group of northern rebels occupied the city of Lincoln and prepared to attack the castle.⁸⁵ Although the chronicle did not specifically mention Nicholaa's involvement on this occasion, it later recorded how she successfully prevented Lincoln castle from falling into enemy hands in the summer of 1216 by purchasing a truce when Gilbert de Gant occupied the city.⁸⁶ King John himself visited Lincoln twice that year, in February and September, and the hundred rolls, compiled sixty years later, recalled a meeting between John and Nicholaa that probably took place on one of these occasions and shows that the king appreciated her talents. According to the rolls, Nicholaa offered John the castle keys and tendered her resignation as castellan, explaining 'that she was a woman of great age and had endured many labours and anxieties in the said castle and was not able to endure such [burdens] any longer' (*quod esset mulier magne etatis et quod multos labores et anxietates in dicto*

⁸² *Ibid.*, 12.

⁸³ RLC, I, 247.

⁸⁴ *Ibid.*, I, 196.

⁸⁵ Holt, *The Northerners*, 121; *Walt. Cov.*, II, 221. The 'Barnwell' chronicle was a mid-thirteenth-century compilation put together in the Fens. The author of the original text referred to Holland, between King's Lynn and Lincoln, as 'our parts', suggesting that he was well-informed on Lincolnshire affairs. See Gransden, *Historical Writing*, 339-341.

⁸⁶ Hill, *Medieval Lincoln*, 200; Holt, *The Northerners*, 138; *Walt. Cov.*, II, 230. *Sed et Aquilonares Lincolniam occupantes praesidium obsidere et expugnare conati sunt. Liberavit autem se ab hac obsidione matrona cui praesidii custodia commissa erat, Nicholaa nomine, pacta pro dominatione pecunia.*

castro sustinuerat et amplius talia non poterat sustinere).⁸⁷ John had replied 'sweetly' (*dulciter*) to these protestations but instructed Nicholaa to keep the castle.⁸⁸

It was also a measure of Nicholaa's high esteem in John's eyes that on 18 October 1216, presumably just hours before his death, Nicholaa was appointed co-sheriff of Lincolnshire with Philip Mark.⁸⁹ This appointment of a woman as a sheriff was, as far as I can tell, unprecedented and needs explanation. Although Round found a near-contemporary case in Norfolk where a woman, Margaret de Caisneto, had apparently carried her late father's claim to the shrievalty to her second husband, there is no evidence that she ever held or exercised the duties associated with this office in her own right.⁹⁰ Nicholaa's appointment might, however, have helped to set a precedent. Ela, the widowed countess of Salisbury, served as sheriff of Wiltshire in 1227-1228 and 1231-1237, and even appeared at the Exchequer in person at Michaelmas 1236 to render account.⁹¹ The reasoning behind John's apparent disregard for convention in Nicholaa de la Haye's case emerges from the political conditions in Lincolnshire in 1216.

William Morris, commenting on the immediate aftermath of Magna Carta, observed, 'To hold the counties at such a time required strong men'.⁹² In Lincolnshire in 1215-1216, there was a serious dearth of suitable male candidates who had remained loyal to the Crown. Although Nicholaa and Gerard's eldest son and heir, Richard, was still alive in 1216 and had attained his majority, he was not long for this world and had died by early March 1217.⁹³ Many of the men who might otherwise have been appointed sheriff under peaceful conditions either were or recently had been in rebellion against the king. Thomas of Moulton, Gerard de Camville's successor to the shrievalty in 1205, was one example, and Alexander of Pointon, who accounted as sheriff to the Exchequer at Michaelmas 1213, was another.⁹⁴ Simon of Kyme, a similarly experienced former royal administrator, also opposed John.⁹⁵

⁸⁷ RH, I, 309.

⁸⁸ *Ibid.*, I, 309. See also *Ibid.*, I, 315.

⁸⁹ RLP, 199b.

⁹⁰ Round, 'The Early Sheriffs of Norfolk', 491-492.

⁹¹ *Women of the English Nobility and Gentry 1066-1500*, ed. and trans. J. C. Ward (Manchester, 1995), 152 n. 67.

⁹² W. A. Morris, *The Medieval English Sheriff to 1300* (Manchester, 1927), 161.

⁹³ RLC, I, 299.

⁹⁴ See *List of Sheriffs*, 78; Holt, *The Northerners*, 54, 59.

⁹⁵ Holt, *The Northerners*, 59. For other Lincolnshire rebels, see *Ibid.*, chs. 3 and 4.

In the light of these circumstances, Nicholaa de la Haye's attraction as a candidate for the shrievalty is understandable. She already possessed an association with the shrievalty through Gerard de Camville and had therefore had an opportunity to observe the workings of the office at first hand. The combination of Nicholaa's experience in managing and defending Lincoln castle, and the autonomy that she enjoyed as a widow, also made her a viable appointee. Hence her description by the 'Barnwell' chronicler as a *matrona* or matron, a term that reflected both Nicholaa's standing and maturity.⁹⁶ Her hereditary position in the county as the heiress of the barony of Brattleby meant that she could provide important support for the loyalist cause through the influence that she exercised over her tenants; just one rebel, Adam of Buckminster, held most or all of his lands from her.⁹⁷ Traditions of status and lordship seem to have transcended gender as considerations behind Nicholaa's appointment to the shrievalty.

Elsewhere in England, during the last months of the reign, John's sheriffs comprised high-ranking state officials, former Crown servants who had assisted him during the Interdict and despised foreign administrators whom cap. 50 of the Great Charter had sought to remove.⁹⁸ Philip Mark, already sheriff of Nottingham and Nicholaa's new colleague, belonged to the third category.⁹⁹ Unfortunately, little evidence survives which relates to Nicholaa and Philip's working relationship, making it hard to ascertain whether Nicholaa was simply a figurehead while Philip dealt with the administrative duties. There are signs that a more equal partnership existed, if only in the fact that Philip disappeared from the records as co-sheriff just a short time after his appointment. On 7 January 1217, King Henry III's minority government associated another man, Geoffrey de Serland, with Nicholaa but this time he was appointed 'under our beloved lady Nicholaa de la Haye' (*sub dilecta nobis domina Nicholaa de Haya*).¹⁰⁰ Nicholaa had evidently proved her worth.

From January 1217 until her dismissal in May 1217, Nicholaa firmly took control of affairs as sheriff of Lincolnshire. Nicholaa and Geoffrey de Serland issued letters of protection to the church, dean and canons of Lincoln.¹⁰¹ She supervised the transfer of hostages from one loyalist stronghold to

⁹⁶ *Walt. Cov.*, II, 230. See also n. 86 above.

⁹⁷ Holt, *The Northerners*, 44; ROF, 579; BF, I (1212), 186.

⁹⁸ These are Morris's groupings. See Morris, *The Medieval English Sheriff*, 161-163.

⁹⁹ *Ibid.*, 163.

¹⁰⁰ PR 1216-1225, 20. For Geoffrey de Serland's lands in Dorset and Lincolnshire, see BF, II (1212), 91; AFC, 205 no. 102.

¹⁰¹ RA, II, 23-24 no. 337.

another.¹⁰² Nicholaa's time in office also coincided with her successful resistance to further siege situations when Gilbert de Gant, followed by Prince Louis, reoccupied the city and besieged the castle once more. The *History of the Dukes of Normandy and Kings of England* records that when Prince Louis reached Lincoln in February 1217, he found the castle still in Nicholaa's hands and 'she kept the guard very loyally' (*elle le garda moult loiaument*).¹⁰³ As before, the castle under Nicholaa's command held out; Louis returned to London and Hugh, the castellan of Arras, took over from him in Lincoln.¹⁰⁴

Nicholaa remained in charge of the loyalist garrison of Lincoln castle throughout the spring of 1217, while her attackers received reinforcements from the earl of Winchester and count of Perche. The Dunstable annalist related how this force joined with that of the other barons, besieging the castle, 'in which a noble woman, by the name of Nicola, manfully defended herself' (*in quo nobilis mulier, Nicola nomine, viriliter se defendit*).¹⁰⁵ The 'Barnwell' chronicler was similarly filled with admiration for Nicholaa and also praised her for acting 'manfully' (*viriliter*).¹⁰⁶ It was in response to the increasingly difficult circumstances in which Nicholaa found herself at Lincoln that William Marshal issued a summons to the loyalists to gather in force at Newark and from there they proceeded to Lincoln's relief.

The battle of Lincoln on 20 May 1217 resulted in a decisive loyalist victory that helped to seal the fate of Prince Louis's ambitions in England.¹⁰⁷ The role that Nicholaa herself played during this engagement was recorded in another source, the *History of William the Marshal*.¹⁰⁸ This account strongly suggests that Nicholaa bore the ultimate responsibility for her garrison's welfare, while her deputy, Geoffrey de Serland, met the physical demands placed on them by their predicament. According to the *History*, it was Geoffrey de Serland who, before the battle of Lincoln, left the safety of the castle and showed the Marshal's nephew a secret entrance through which it was possible to

¹⁰² PR 1216-1225, 23-24.

¹⁰³ *Histoire des Ducs*, 182. The author of the *History of the Dukes of Normandy* was probably a member of the entourage of a Flemish mercenary commander who served King John against the barons. See S. Duffy, 'King John's Expedition to Ireland: the Evidence Reconsidered', *Irish Historical Studies*, XXX (1996-1997), 6-7.

¹⁰⁴ *Histoire des Ducs*, 182; Hill, *Medieval Lincoln*, 201.

¹⁰⁵ *Ann. Mon.*, III, 49.

¹⁰⁶ *Memoriale*, II, 237. From 1210, the author of the Dunstable annals was the Augustinian prior Richard de Morins. See Gransden, *Historical Writing*, 335-336.

¹⁰⁷ Carpenter, *The Minority*, 36-41.

¹⁰⁸ The *History's* account of the battle is discussed in T. F. Tout, 'The Fair of Lincoln and the *Histoire de Guillaume Le Maréchal*', in *The Collected Papers of Thomas Frederick Tout* (3 vols., Manchester, 1934), II, 191-220. The *History of William the Marshal* was commissioned by the Marshal's eldest son, William, at the suggestion of the Marshal's esquire, John of Earley, who provided the author with his information. See Gransden, *Historical Writing*, 345-346.

pass unchallenged.¹⁰⁹ It was also Geoffrey de Serland who met the bishop of Winchester, amid the hail of mangonels, when the bishop brought news and comfort to Nicholaa who was in the tower.¹¹⁰ Although the masculine courage exhibited by Geoffrey de Serland and the bishop of Winchester served the *History's* chivalric purpose well, the *History's* portrayal of Nicholaa's supervisory role rings true; she was too valuable to the loyalist cause to be exposed to the risk of capture in fighting. The author's approval of Nicholaa's conduct is conveyed in his description of her as 'the good dame' (*la boene dame*), 'whom God preserve both in body and in soul' (*Que Dex gard en cors e [en] ame*).¹¹¹

Not all chronicles applauded Nicholaa de la Haye's role in the war of 1215-1217; the political sympathies of the authors influenced how she was seen. From a French perspective, the chronicle of anonymous of Béthune referred to her as 'a very cunning, bad-hearted and vigorous old woman' (*molt engigneuse et mal querans et vighereuse vielle*).¹¹² Nevertheless, Nicholaa de la Haye's conduct generally inspired contemporaries with praise rather than condemnation. The language that the different narrative accounts used to describe Nicholaa, especially that of the Dunstable annals and 'Barnwell' chronicle, mirrored that employed by earlier commentators to describe other royal and aristocratic women who had assumed a military role. The *Gesta Stephani*, for example, had referred to King Stephen's wife, Matilda of Boulogne, the head of his forces during his captivity by the Empress, as 'a woman of subtlety and a man's resolution' (*astuti pectoris virilisque constantiae femina*).¹¹³ This suggests that it was acceptable, if extraordinary, for a woman to play an active role in warfare in an emergency situation, especially in a defensive emergency situation.¹¹⁴ Furthermore, as Helen Nicholson has pointed out, it could be permissible for a noblewoman to pursue her own military initiative, provided that it served in her family's interests.¹¹⁵ The author of the *History of the Dukes of Normandy* also celebrated the achievements of Nicholaa de la Haye's near-contemporary, Matilda, wife of William de Braose, in maintaining the war against the Welsh.¹¹⁶ There was a strong framework of references in which thirteenth-century writers could place Nicholaa de la Haye's experiences.¹¹⁷

¹⁰⁹ *Maréchal*, II, 228 ll. 16423-16432.

¹¹⁰ *Ibid.*, II, 230, ll. 16467-16498.

¹¹¹ *Ibid.*, II, 230 ll. 16491-16492; P. Coss, *The Lady in Medieval England 1000-1500* (Stroud, 1998), 33.

¹¹² Cited in C. Petit-Dutaillis, *Étude sur la Vie et le Règne de Louis VIII (1187-1226)* (Paris, 1894), 148; Coss, *The Lady*, 33.

¹¹³ *Gesta Stephani*, ed. and trans. K. R. Potter (London, 1955), 81.

¹¹⁴ The involvement of women in sieges was a long-running motif in historical writing. See P. Stafford, *Queens, Concubines and Dowagers: The King's Wife in the Early Middle Ages* (Athens, Georgia, 1983), 117-120; M. Chibnall, 'Women in Orderic Vitalis', *HSJ*, II (1990), 114.

¹¹⁵ H. Nicholson, 'Women on the Third Crusade', *JMH*, XXIII (1997), 344-347.

¹¹⁶ Gerald of Wales was not alone in his admiration for Matilda de St. Valery (see p. 20 above). See *Histoire des Ducs*, 111; Nicholson, 'Women on the Third Crusade', 345.

In spite of Nicholaa de la Haye's impressive track record, she was removed from office as sheriff of Lincolnshire and replaced by Henry III's uncle, the earl of Salisbury, just four days after the battle of Lincoln, on 24 May 1217.¹¹⁸ Not only did she lose the custody of the county and the city of Lincoln but Salisbury also seized the castle itself. If anything, Nicholaa's response to this situation demonstrates the sheer force of her personality. Whereas a lesser person might have bowed to pressure and accepted this forced resignation, Nicholaa reacted by travelling to the king's court in London to recover her right, reminding those present of her faithful service not only to King John but also to his son. These tactics paid off and Salisbury was ordered to restore the castle, city and county to her care in October 1217.¹¹⁹ Nonetheless, Nicholaa's victory was only short-lived; on 4 December 1217, she was again ordered to hand over the county to Salisbury but the castle and city of Lincoln remained in her hands.¹²⁰

Nicholaa's dismissal as sheriff had much to do with Salisbury's personal ambitions. His acquisition of the shrievalty and city of Lincoln in May 1217, and Nicholaa's subsequent struggle with him are best understood within the context of a family dispute.¹²¹ On his death early in 1217, Nicholaa's son and heir, Richard, was survived by a young daughter, Idonea, who stood to inherit not only the Camville family lands¹²² but also, eventually, her grandmother's barony. In 1216, Idonea's marriage to Salisbury's eldest son had been arranged¹²³ and later, on her father's death, Salisbury had been granted custody of Idonea's Camville lands.¹²⁴ If only Nicholaa would die, her lands might fall to him as well as part of the wardship.

This is a fine example of that classic scenario of an orphaned child's rapacious new guardian seeking to take advantage of the widowed mother or, in this case, grandmother. Salisbury did not want to wait for Nicholaa's death to get his hands on her offices or her landed inheritance. He was nearly successful in both these objectives. The pipe roll for Michaelmas 1219 is particularly enlightening. In

¹¹⁷ See also Nelson, 'Gender and Genre', 183-184.

¹¹⁸ PR 1216-1225, 65.

¹¹⁹ *Ibid.*, 117-118.

¹²⁰ *Ibid.*, 130.

¹²¹ See Carpenter, *The Minority*, 66-67.

¹²² Her mother was Eustachia, daughter and heiress of Gilbert Basset. See Waugh, *The Lordship of England*, 58, 212.

¹²³ RLC, I, 265.

¹²⁴ *Ibid.*, I, 299, 337.

this year, it was Salisbury rather than Nicholaa who answered for the thirty-two marks owing from the sixteen fees of her barony for the first scutage of Henry III's reign.¹²⁵ Yet Salisbury had received no formal grant of Nicholaa's lands. It may be significant that another entry on the same pipe roll, concerning the scutage for Poitou, had referred to the same sixteen knights' fees as though they had formally belonged to Nicholaa's late son, Richard.¹²⁶ Was Salisbury trying to justify his usurpation of Nicholaa's rights by creating a fiction that Richard had assumed control of most of his mother's as well as his father's property on Gerard's death? On the one hand, it was not unknown for a widowed heiress's rights to be overlooked in favour of those of her son. The inheritance of Matilda, the heiress of the Lincolnshire barony of Redbourne, had passed to her son Simon on her husband's death (between 1165 and 1172), although Matilda was still alive.¹²⁷ On the other hand, Magna Carta's provision that 'After her husband's death, a widow shall have her marriage portion and her inheritance at once and without any hindrance' (*Vidua post mortem mariti sui statim et sine difficultate habeat maritagium et hereditatem suam*),¹²⁸ suggests that although the system was perhaps open to abuse, it was more widely recognised in the early thirteenth century that a widowed heiress would normally retain possession of her inheritance herself.

Nicholaa's struggle with Salisbury reached crisis point in the summer of 1219. In mid-August, news reached the minority government that Salisbury was attacking Lincoln castle. The gravity of the situation was shown when a force under Hubert de Burgh, Peter des Roches and Falkes de Bréauté raced from Northampton to Nicholaa's aid. On 23 August, a letter patent was sent to Salisbury, ordering that he should maintain, protect and defend the lands and men 'of our beloved and faithful Nicholaa de Haya' (*dilecte et fidelis nostre Nicholae de Haya*).¹²⁹ The state of affairs in Lincoln was sufficiently serious for Falkes de Bréauté to be assigned 'in the assistance and defence of Lincoln castle ... for the conservation of the peace of the kingdom of England' (*in adiutorium et defensionem castri Lincolnie... ad pacem regni Anglie conservandam*).¹³⁰ Yet this was not the end of the matter. In January 1220, Falkes wrote to the Hubert de Burgh, informing him that messengers from Nicholaa

¹²⁵ *Pipe Roll 1219*, 130.

¹²⁶ *Ibid.*, 123.

¹²⁷ See S. F. C. Milsom, 'Inheritance by Women in the Twelfth and Early Thirteenth Centuries', in *On the Laws and Customs of England: Essays in Honour of Samuel E. Thorne*, ed. M. S. Arnold, T. A. Green, S. A. Scully and S. D. White (North Carolina, 1981), 64.

¹²⁸ *Select Charters*, 294 (cap. 7); J. C. Holt, *Magna Carta* (Cambridge, second edition, 1992), 452-453 (cap. 7).

¹²⁹ *PR 1216-1225*, 200-201; Carpenter, *The Minority*, 159.

¹³⁰ *PR 1216-1225*, 201.

had come before the king at Northampton; this time, Salisbury had been trying to gain admission to Lincoln castle by offering his son and nephew as hostages.¹³¹

Nicholaa's conflict with Salisbury might explain the marriage of her niece and namesake, Nicholaa, to Oliver, sixth baron Deyncourt, an important Lincolnshire landholder who had previously sided with the rebels and been captured at the battle of Lincoln.¹³² Little is known about this marriage, apart from the fact that it probably took place in or before 1220, and Nicholaa granted her young relation the manor of Duddington (Northamptonshire) as a marriage portion. Much litigation subsequently arose between the Crown and the Deyncourt family over Nicholaa's problematic title to this property.¹³³ Nevertheless, this marriage might have provided Nicholaa with some much-needed support within Lincolnshire at this time.

In the dispute with Salisbury over Lincoln castle, Nicholaa eventually emerged victorious and continued in her role as castellan. There are signs that Nicholaa's guardianship of Lincoln castle was interrupted once more in 1223. The patent rolls and pipe rolls suggest that Stephen of Segrave, Salisbury's successor as sheriff of Lincolnshire, had been awarded custody of the castle and that the castle had then been placed in the bishop's hands following Henry III's resumption of his castles and shrievalties on 30 December 1223.¹³⁴ On 23 June 1224, however, the king informed the bishop of Lincoln that he had entrusted the custody of Lincoln castle to Lady Nicholaa for as long as it shall please him and instructed the bishop to hand over the castle to her.¹³⁵ By Michaelmas 1225, Nicholaa de la Haye had not only regained possession of Lincoln castle but she had also somehow managed to recover her landed inheritance from Salisbury's clutches.¹³⁶ When she relinquished control of the castle for the final time in 1226, it was at royal command and Osbert Giffard was appointed to

¹³¹ *Royal and Other Historical Letters Illustrative of the Reign of Henry III*, ed. W. W. Shirley (2 vols., RS, 1862), I, 73 no. lxi.

¹³² For Oliver Deyncourt, see *Thurgarton Cart.*, lxxxiv-xci. Oliver's wife is described as Nicholaa's niece in an inquisition of 1293. It seems more likely that she was a descendant of Nicholaa's paternal uncle, Ralph de la Haye, who had held one knight's fee from Walter, third baron Deyncourt, in 1166. See *Ibid.*, xliii.

¹³³ Duddington was originally held by William de Humet, who defected to Philip Augustus, and at some point this property came into the hands of Gerard de Camville and Nicholaa de la Haye. After Nicholaa's death, the Crown tried to seize it as a Norman escheat. Although the Deyncourts retained possession, their disputed title was the subject of another legal case in 1254 and an inquisition was carried out in 1293. See *Thurgarton Cart.*, lxxxviii-lxxxix; CRR, XIV, 242-243 no. 1155; *Placitorum in Domo Capitulari Westmonasteriensi Asservatorum Abbrevatio. Temporibus Regum Ric. I. Johann. Henr. III. Edw. I. Edw. II* (1811), 139b; CIM, 460-461 no. 1644; PRO, C145/53/24/1-3.

¹³⁴ PR 1216-1225, 419; Carpenter, *The Minority*, 274-275.

¹³⁵ PR 1216-1225, 446.

¹³⁶ PRO, E372/69, m. 13.

replace her.¹³⁷ Salisbury died in the same year and Nicholaa spent the remaining four years of her life in full possession of her landed inheritance,¹³⁸ dying at her manor of Swaton in 1230.¹³⁹

Nicholaa as a Widow: II. Estate Administrator

In spite of her troubles with Salisbury, the freedom of action over the management of her lands that Nicholaa gained in widowhood is demonstrated by the fact that all twenty-four of the surviving charters that I have discovered, which were issued in her name alone, can be dated to this period (i.e. 1215-1230).¹⁴⁰ Fifteen record new grants or exchanges of property made by Nicholaa to lay persons and religious houses, while nine confirm earlier grants of lands and rights made by Nicholaa's forebears, husbands and tenants. Considered alongside the information provided by central government and the diocese of Lincoln's records, the charter evidence suggests that the widowed Nicholaa was an able estate administrator who exercised her rights to the full. She secured a royal grant for a market each Friday on her manor of Swaton,¹⁴¹ an action that benefited the local economy and thereby increased her personal income from that region as its lord. Nicholaa successfully wielded her natal family's previously disputed right of presentation to the church of Swaton.¹⁴²

Nicholaa's loyal service to the Crown also provided her with opportunities to add to her personal wealth from the lands that had been confiscated from local rebels in 1216-1217. She received temporary grants, for example, of the vill of Torksey, the custody of all of William of Huntingfield's lands in her bailiwick, William of Huntingfield's castle of Frampton, and later all of William of Huntingfield's lands in the county of Lincoln.¹⁴³ Her subsequent treatment of these acquisitions

¹³⁷ PR 1225-1232, 41.

¹³⁸ The pipe roll for Michaelmas 1230 recorded that she owed forty-eight marks from her sixteen fees in Lincolnshire for the scutage relating to Henry III's first crossing to Brittany. See *Pipe Roll 1230*, 309.

¹³⁹ RH, I, 309.

¹⁴⁰ See n. 63 above for the dating of her eleven charters in the Castle Acre Priory cartulary. All four of Nicholaa's charters in the Barlings Abbey cartulary refer to her widowhood. See BL, Cotton. Faust. MS. B. I., ff. 42, 42-42v, 42v (x2). One charter survives in the Spalding Priory cartulary and makes no mention of either of her husbands. See BL, Harley MS. 742, ff. 219-219v. Both charters in the Combe Abbey cartulary of 1255 concern a gift for Gerard's soul. See BL, Cotton Vit. MS. A. I., f. 35 (x2). All three charters in the possession of Lincoln Cathedral and another charter in the duchy of Lancaster's archive mention her widowhood. See RA, VIII, 107-108 no. 2297; X, 258-259 no. 2932, 267 no. 2931; PRO, DL25/2890. Two charters issued by Nicholaa that make no references to her husbands are noted among Gervase Holles's extracts from the lost Haverholme Priory cartulary. See 'Haverholme Priory Charters', *Lincolnshire Notes and Queries*, XVII (1922-1923), 44 nos. 139-140.

¹⁴¹ RLC, I, 468.

¹⁴² Rot. Hug. Welles, III, 115, 118.

¹⁴³ RLC, I, 249 (x2); RLP, 167 (x2); RLC, I, 272.

suggests a ruthlessness and determination to derive the greatest financial advantage from them while they were in her possession. When the justices in eyre visited Lincolnshire in 1218, William of Huntingfield sued Nicholaa for the recovery of chattels worth £273 8s. 6d. that she had taken from him after peace was made between the king and Prince Louis.¹⁴⁴ The final outcome of this case illustrates Nicholaa's power and influence in the county; a compromise was reached between the parties whereby Nicholaa gave William just thirty silver marks in return for which he remitted and quitclaimed to Nicholaa 'all the right and claim that he had against her'.¹⁴⁵

Nicholaa as a Widow: III. Ecclesiastical Interests

There is a visual representation of Nicholaa on an oval seal that is attached to one of her original charters.¹⁴⁶ The seal is badly damaged and its legend is lost but it is possible to make out an outline figure of a standing woman who has her right hand on her hip and holds a hawk in her left hand.¹⁴⁷ Although it was quite common for widowed heiresses to display the arms of their late husbands and/or fathers on their seals,¹⁴⁸ Nicholaa does not appear to have done so. By offering a clearer insight into her role as a patron of certain religious foundations, however, her extant charters reveal something about her sense of identity and those family connections that she valued above all others.

Recent literature on medieval women and religion has highlighted the special role that widows played in commemorating the dead,¹⁴⁹ and both the pattern and nature of Nicholaa's religious benefactions indicate that she was aware of her spiritual responsibility for the souls of her late husbands and her ancestors. Her first charter in the Castle Acre Priory cartulary confirmed the earlier gifts of her paternal grandfather, father, paternal uncle and both husbands to this house and stated that this was done *pro salute anime mee et salute animarum omnium antecessorum, successorum et maritorum meorum*.¹⁵⁰

¹⁴⁴ RJE, 217 no. 467, 233 no. 495.

¹⁴⁵ *Ibid.*, 233 no. 495.

¹⁴⁶ PRO, DL25/2890.

¹⁴⁷ The hawk, a symbol of wealth and nobility, was a common motif on the seals of aristocratic women. See B. B. Rezak, 'Women, Seals, and Power in Medieval France, 1150-1350', in *Women and Power*, ed. Erler and Kowaleski, 76-77.

¹⁴⁸ Coss, *The Lady*, 38-47.

¹⁴⁹ See, for example, V. Sekules, 'Women's Piety and Patronage', in *Age of Chivalry: Art and Society in Late Medieval England*, ed. N. Saul (London, first published 1992, reprinted 1995), 125; G. Duby, *Women of the Twelfth Century, Volume Two: Remembering the Dead*, trans. J. Birrell (Cambridge, 1998), 10-15; P. J. Geary, *Phantoms of Remembrance: Memory and Oblivion at the End of the First Millennium* (Princeton, 1994), 51-73.

¹⁵⁰ BL, Harley MS. 2110, f. 71; MA, V, 53 no. xvii.

Furthermore, both of Nicholaa's charters in the Combe Abbey cartulary concerned her gift of 100s. of silver so that an anniversary might be kept for Gerard de Camville's soul.¹⁵¹

Notwithstanding, Nicholaa's interest in the Camville foundation of Combe ended with this benefaction; during the latter part of her life, Nicholaa's personal loyalties remained firmly directed towards those religious houses which were connected with the la Haye family. Ten of her charters were addressed to Castle Acre Priory. Significantly, just four of these confirmed donations made by other persons,¹⁵² while the other six outlined new grants of rights and property made by Nicholaa herself.¹⁵³ Spalding Priory, a foundation formerly patronised by her father as well as his English antecessors,¹⁵⁴ also received a new grant of rents from her.¹⁵⁵ Indeed, Nicholaa's commitment to the perpetuation of established la Haye associations exceeded that of both her late husbands. Two of her charters, one confirming a tenant's gift of ten acres of land and another confirming her forebears' offerings, were issued to her paternal uncle's foundation of Barlings Abbey, a house which had been overlooked by both her spouses.¹⁵⁶

Nicholaa's two new grants to the dean and chapter of Lincoln cathedral, however, suggest that she was prepared to direct her attention elsewhere if was politic to do so. Between c. 1224 and 1227, Nicholaa granted the church of Lincoln and William the dean and his successors the land which Robert Lightfoot held from her in the Bail of Lincoln so that the dean could extend his courtyard.¹⁵⁷ In c. 1225, she donated all the space between the ancient entrance to the cathedral's cemetery and the late archdeacon of Bedford's houses, with the rents pertaining to that property, for the fabric of the church.¹⁵⁸ Carefully measured demonstrations of generosity such as these might have helped Nicholaa to foster support within the city of Lincoln itself.

¹⁵¹ BL, Cotton. Vit. MS. A. I., f. 35 (x2).

¹⁵² BL, Harley MS. 2110, ff. 71, 71v (x2), 73.

¹⁵³ *Ibid.*, ff. 72 (x2), 72-72v, 72v (x3). Altogether, Nicholaa granted this house fourteen and a half acres of land in Sutton and Lutton, the family and messuage of Walter fitzGuy of Lutton, and one Simon Falkes *et totam villam suam*.

¹⁵⁴ BL, Harley MS. 742, f. 219; *MA*, III, 218 no. xii.

¹⁵⁵ *Ibid.*, ff. 219-219v. Nicholaa granted Spalding all the homage and service that Peter fitzElstan and his wife owed her from their tenement in Sutton, namely 4s. 5d. per annum.

¹⁵⁶ BL, Cotton. Faust., B. I., ff. 42-42v, 42v. Barlings was also patronised by Oliver, sixth baron Deyncourt, who granted a rent of 6s. from land held in the Bail of Lincoln for his soul and that of his wife, the younger Nicholaa. See *Ibid.*, f. 57v. Nicholaa also issued two charters confirming the gifts of her tenants to Haverholme Priory. See 'Haverholme Priory Charters', 44 nos. 139-140.

¹⁵⁷ *RA*, X, 258-259 no. 2932.

¹⁵⁸ *Ibid.*, X, 267 no. 2931.

Nicholaa's *Familia*'

As John Maddicott demonstrated in his study of Simon de Montfort, it was not just a nobleman's estates that lay at the root of his power; his followers were also an important element in the equation. It was they who enabled him to effectively exploit his landed and military assets, they who staffed his personal *curia*, and they who assisted him in exercising 'the good lordship on which his standing in the local community and in the community of the realm partly depended'.¹⁵⁹ An analysis of the composition of Nicholaa de la Haye's *familia*, as reflected in her charter witness-lists, would help to ascertain if the size and composition of this noblewoman's affinity was inhibited or otherwise affected by her gender.

It is generally recognised that the witness-lists of charters offer a good way of establishing who was most often with or who, at least, enjoyed a significant connection with the grantor at a particular moment in time.¹⁶⁰ Seventeen of Nicholaa de la Haye's extant charters survive with all or part of their witness-lists intact,¹⁶¹ shedding light on the size and social composition of Nicholaa's affinity. A grand total of seventy-three laymen and eighteen ecclesiastics witnessed these charters alone; by comparing the number of times different individuals were named in the lists, we can begin to identify Nicholaa's closest advisers.

In a similar assessment of Roger de Quincy's affinity, Grant Simpson found that the witnesses of this earl's charters fell into three groups: those who witnessed more than six charters and belonged to his 'inner circle'; those who witnessed three, four and five charters and belonged to his 'outer circle'; and those who witnessed two or less about whom little is known.¹⁶² By an interesting coincidence, the witnesses of Lady Nicholaa de la Haye's charters comfortably fall into the same three categories, although we should not read too much into this. Employing Simpson's method, it is possible to identify seven individuals who belonged to the inner circle of Nicholaa's *familia*¹⁶³ and fourteen who belonged to the outer circle.¹⁶⁴

¹⁵⁹ J. R. Maddicott, *Simon de Montfort* (Cambridge, 1994), 59.

¹⁶⁰ See, for example, *Ibid.*, 59-60; G. G. Simpson, 'The *Familia* of Roger de Quincy, Earl of Winchester and Constable of Scotland', in *Essays on the Nobility of Medieval Scotland*, ed. K. J. Stringer (Edinburgh, 1985), 105.

¹⁶¹ BL, Harley MS. 2110, ff. 71, 71v (x2), 71v-72, 72 (x2), 72-72v, 72v (x3); BL, Harley MS. 742, ff. 219-219v, R4, VIII, 107-108 no. 2297, X, 258-259 no. 2923, 267 no. 2931; PRO, DL25/2890; 'Haverholme Priory Charters', 44 nos. 139-140.

¹⁶² Simpson, 'The *Familia* of Roger de Quincy', 107.

¹⁶³ These were: Geoffrey Angevin, Robert Angevin, William de Gisneto, William fitzWilliam de Gisneto, William of Newton, William fitzWilliam of Newton, Nicholas of Sutton. William fitzWilliam de Gisneto and

The affinities of thirteenth-century noblemen have been at the centre of recent debates on the transition from feudalism to bastard feudalism in late medieval England, that is the process whereby 'the tenurial bond between lord and vassal' was 'superseded as the primary social tie by the personal contract between master and man'.¹⁶⁵ Already in the early thirteenth century, the witness-list evidence suggests that tenants played a relatively small role in William Marshal's following. Indeed, Crouch's study has uncovered a geographical, as opposed to a tenurial bias, in its membership.¹⁶⁶ Moreover, although Stringer's research into Earl David of Huntingdon's entourage indicated that three-fifths of his entourage were bound to him by land tenure, this lord displayed a marked reluctance to reward his followers with land and even, on two occasions, granted money-fiefs in its place.¹⁶⁷ The lordly world was already beginning to anticipate the bastard feudal world of the fourteenth and fifteenth centuries during Nicholaa de la Haye's lifetime and this development should be kept in mind when investigating her *familia*.

What is particularly striking about Nicholaa's inner circle of followers is the fact that not one of them featured as a la Haye tenant in the 1212 inquiry into the fees of tenants-in-chief. This may be misleading; we can find evidence elsewhere of a long-established and possibly tenurial connection between the la Haye family and Robert and Geoffrey Angevin. The Angevins held land in Sutton and Lutton.¹⁶⁸ Robert and Geoffrey's father, Hugh, had witnessed charters for Richard de la Haye¹⁶⁹ and William fitzErneis,¹⁷⁰ and Gerard de Camville had confirmed his gift of two acres of land to

William fitzWilliam of Newton only witnessed one and three charters respectively but are included in this category primarily because they appeared alongside their fathers who were important witnesses. See below.

¹⁶⁴ These were: Jordan of Ashby, John of Ashby, James de Bakepuz, John of Claxby, Richard Franchum, Robert Griffin, William of Ingleby, John of Lincoln, Henry de Pereres, William de Reperwic, Thomas fitzSimon, William fitzSimon, Roger of Stixwould and Henry de Sturmin. No ecclesiastic witnessed more than two charters.

¹⁶⁵ This is McFarlane's definition. See K. B. McFarlane, 'Bastard Feudalism', in *England in the Fifteenth Century: Collected Essays* (London, 1981), 23-24. For a discussion about this change, see D. Crouch, D. A. Carpenter and P. R. Coss, 'Debate: Bastard Feudalism Revised', *P&P*, CXXXI (1991), 165-203.

¹⁶⁶ D. Crouch, *William Marshal: Court, Career and Chivalry in the Angevin Empire 1147-1219* (London, 1990), 138-141. Just six of the eighteen knights in the Marshal's following were his tenants.

¹⁶⁷ K. J. Stringer, *Earl David of Huntingdon 1152-1219: A Study in Anglo-Scottish History* (Edinburgh, 1985), 163-168.

¹⁶⁸ BL, Harley MS. 2110, ff. 74, 75v. Robert and Geoffrey Angevin were referred to as father and son in three witness-lists (*Ibid.*, ff. 71v, 71v-72, 72). From another witness-list (*Ibid.*, 72v), a charter of Geoffrey's (*Ibid.*, f. 74) and a charter of Robert's (*Ibid.*, f. 75v), it seems more likely that they were brothers.

¹⁶⁹ *Ibid.*, f. 70v.

¹⁷⁰ *Ibid.*, f. 70v (x2).

Castle Acre Priory.¹⁷¹ Robert and Geoffrey themselves had acted as witnesses for Gerard de Camville,¹⁷² before they witnessed ten of Nicholaa's extant charters in her widowhood.¹⁷³

Nicholas of Sutton and William of Newton might also have been tenants. His toponymic certainly suggests that Nicholas of Sutton, the serjeant who witnessed ^{of} nine of Nicholaa's known charters,¹⁷⁴ possessed a connection with Sutton which predated Nicholaa de la Haye's grant to him of just under one bovat of land in Sutton and ten acres of newly reclaimed marshland in Lutton.¹⁷⁵ Something of the strength of his relationship with Nicholaa can be gleaned from his subsequent decision to grant the ten acres in Lutton to Barlings Abbey 'for the salvation of the soul of Lady Nicholaa de la Haye, my lady' (*pro salute anime domine Nicholae de Haya domine mee*).¹⁷⁶ A charter of Roger de Montbegon, referring to the fee in the vill of Sutton which Nicholaa and her forebears held from him, indicates that as the la Hayes were the local lords it is likely that Nicholas was their tenant before Nicholaa's gift.¹⁷⁷

Two charters of Nicholaa de la Haye and one of Henry de Pereres¹⁷⁸ made passing references to a house in Sutton which belonged to William of Newton. Like Nicholas, William was also granted property in this neighbourhood by Lady Nicholaa; a charter of his spoke of seven acres and three perches of land in Sutton that had been received from her¹⁷⁹ and in 1233-1234, he sued Nicholaa's granddaughter over a further two bovates of land *que ad ipsum reverti debent ratione donationis quam Nicholaa de Haya avia predictae Idonee ... ei inde fecit etc.*¹⁸⁰ This William was certainly a leading figure in Nicholaa's following; he witnessed fifteen of the seventeen charters under scrutiny,¹⁸¹ served as her constable¹⁸² and seneschal,¹⁸³ and styled himself *miles*.¹⁸⁴ Indeed, his loyal service to Nicholaa might

¹⁷¹ *Ibid.*, f. 71.

¹⁷² *Ibid.*, f. 71; BL, Harley MS. 742, f. 220v.

¹⁷³ BL, Harley MS. 2110, ff. 71, 71v (x2), 71v-72, 72, 72-72v, 72v (x 3); PRO, DL25/2890.

¹⁷⁴ BL, Harley MS. 2110, ff. 71v (x2), 71v-72, 72, 72-72v, 72v (x3); PRO, DL25/2890.

¹⁷⁵ BL, Cotton. Faust. MS. B. I., ff. 42-42v.

¹⁷⁶ *Ibid.*, f. 42v.

¹⁷⁷ BL, Harley MS. 2110, f. 73.

¹⁷⁸ *Ibid.*, ff. 71v-72, 72, 73v.

¹⁷⁹ *Ibid.*, f. 73v.

¹⁸⁰ CRR, XV, 80-81 no. 386.

¹⁸¹ BL, Harley MS. 2110, ff. 71, 71v (x3), 72, 72-72v, 72v (x3); BL, Harley MS. 742, ff. 219-219v, R4, VIII, 107-108 no. 2297, X, 258-259 no. 2923, 267 no. 2931; PRO, DL25/2890; 'Haverholme Priory Charters', 44 no. 139.

¹⁸² BL, Harley MS. 2110, ff. 71, 71v, 72v; R4, VIII, 107-108 no. 2297.

explain King John's decision to award him William Scot's former lands in Willoughby when he was at Louth on 4 October 1216.¹⁸⁵ Nonetheless, there is a possibility that William of Newton, constable, was the father of, rather than the same person as, William of Newton, seneschal; all the charters that were witnessed by William of Newton and William his son, described William of Newton senior as constable.¹⁸⁶ Moreover, in another of Nicholaa's witness-lists, William of Newton, seneschal, was specifically referred to as Lord William of Newton *junior*.¹⁸⁷

In spite of first impressions, most of Nicholaa's inner circle were probably established tenants of the la Haye family, but there are signs that Nicholaa was not only prepared to recruit but was also able to attract men who were other lords' tenants in her search for good service. Sir William de Gisneto who witnessed six of Nicholaa's seventeen charters¹⁸⁸ and answered for a debt of Nicholaa's according to the pipe roll for 1202,¹⁸⁹ is an interesting case in point. A person of the same name held one knight's fee in chief from the king in Kent, three knights fees from the honour of Clare in Suffolk, and one knight's fee from the honour of Peverel in Essex.¹⁹⁰

Considering the small numbers of charters upon which this analysis is based, it is probable that some of the men who have been placed in Nicholaa's outer circle merit inclusion in the inner circle. There are indications that Jordan of Ashby de la Launde, witness of four of the seventeen charters,¹⁹¹ was another prominent member of Nicholaa's *familia*. Like William of Newton, he benefited from Nicholaa's standing with King John. On 1 October 1216, he was granted all of the rebel Adam de Isny's land when John was at Lincoln.¹⁹² In 1218, it was Lady Nicholaa's wish that either he or Robert Griffin should be appointed to act as her attorney in the suit with William of Huntingfield.¹⁹³

¹⁸³ BL, Harley MS. 2110, ff. 71v (x2), 72, 72v; RA, X, 258-258 no. 2923, 267 no. 2931.

¹⁸⁴ BL, Harley MS. 2110, f. 73v.

¹⁸⁵ RLC, I, 290.

¹⁸⁶ BL, Harley MS. 2110, ff. 71, 71v, 72v.

¹⁸⁷ *Ibid.*, f. 72v.

¹⁸⁸ *Ibid.*, ff. 71v, 71v-72, 72v (x2); BL, Harley MS. 742, ff. 219-219v; RA, X, 258-259 no. 2923.

¹⁸⁹ *Pipe Roll 1202*, 215.

¹⁹⁰ RB, I, 135, 404, II, 591. The entry concerning William de Gisneto and the Suffolk property was made in 1166, while the entries concerning the Kent and Essex holdings were made in 1201-12 and 1211-1212; this suggests either that he, like Nicholaa, was long-lived or that these entries related to two different people.

¹⁹¹ BL, Harley MS. 2110, ff. 71, 71v, 72v (x2).

¹⁹² RLC, I, 290.

¹⁹³ RJE, 217 no. 467.

The close and pipe rolls reveal that he also served Nicholaa as constable in the mid-1220s,¹⁹⁴ helping to supervise the repairs and improvements being made to Lincoln castle and gaol.¹⁹⁵ Similarly, James de Bakepuz, witness of four charters,¹⁹⁶ acted as Nicholaa's constable at some point between 1224 and 1227¹⁹⁷ and Robert Griffin, witness of five charters,¹⁹⁸ was another person who held the post of seneschal.¹⁹⁹

The standing of Sir Roger of Stixwold within Nicholaa's following is slightly more difficult to interpret. Roger witnessed just three of the widowed Nicholaa's charters²⁰⁰ but the Crown's financial records disclose that he had been Gerard de Camville's under-sheriff, rendering account for the farm of Lincolnshire on his behalf during both Richard I's and John's reigns.²⁰¹ Although Roger received Osbert of Boothby's lands from the King on 4 October 1216,²⁰² he does not appear to have fulfilled such an important role during Nicholaa's widowhood.

The basis for the connection between Nicholaa and James de Bakepuz, John of Claxby, John of Ashby, Richard Franchum, Robert Griffin, William de Reperwic, and Henry de Sturmin remains unclear. Even so, her outer circle, like her inner circle, included several la Haye tenants. A Jordan of Ashby had featured in the *Carta* of Richard de la Haye,²⁰³ and in 1212 a person of the same name was recorded holding land in Marston and Dry Doddington from Gerard de Camville for the service of half a knight.²⁰⁴ Roger of Stixwold held land for the service of one knight from the ancient

¹⁹⁴ RLC, II, 68b.

¹⁹⁵ PRO, E 372/69, m. 13. A badly damaged letter sent by Jordan of Ashby to Ralph de Neville, bishop of Chichester, in October 1224 also survives which discusses the garrisoning of Lincoln castle. See PRO, SC1/6/57.

¹⁹⁶ BL, Harley MS. 2110, ff. 71v, 71v-72, 72; RA, X, 258-259 no. 2923.

¹⁹⁷ RA, X, 258-259 no. 2923.

¹⁹⁸ BL, Harley MS. 2110, ff. 71, 71v, 72-72v, 72v; RA, VIII, 107-108 no. 2297.

¹⁹⁹ RA, VIII, 107-108 no. 2297; BL, Harley MS. 2110, ff. 71, 71v, 72v.

²⁰⁰ BL, Harley MS. 2110, ff. 71v, 72v (x2).

²⁰¹ See *Pipe Roll 1190*, 76; *Pipe Roll 1191*, 1, 231; *Pipe Roll 1204*, 62.

²⁰² RLC, I, 290.

²⁰³ RB, I, 390-391.

²⁰⁴ BF, I, 186. For a charter issued by Nicholaa referring to Jordan of Ashby's sale of four bovates of land in Ashby de la Launde to Roger, nephew of Wigot, chancellor of Lincoln, see 'Haverholme Priory Charters', 44 no. 140. John of Ashby was probably a relation of Jordan. For a charter issued by a John of Ashby regarding land in Ashby de la Launde, see *Ibid.*, 40 no. 119.

feoffment of Richard de la Haye, according to the *Carta*,²⁰⁵ and in 1212 appeared in possession of one carucate in Stixwold and a third of a knight's fee in Silk Willoughby.²⁰⁶ From a lawsuit of 1233-1234, we learn that John of Lincoln held two bovates of land in Sutton and Lutton from William of Newton who had received them from Nicholaa de la Haye.²⁰⁷ In addition, the Castle Acre Priory cartulary reveals that Henry de Pereres, witness of three charters,²⁰⁸ had received twenty-six acres of land in Sutton from Nicholaa *pro homagio et servitio*.²⁰⁹ Notwithstanding, the desire for good service which had persuaded Nicholaa to look outside her honour and recruit William de Gisneto to her inner circle also possibly helped to shape the membership of her outer circle; Robert Griffin held one carucate of land directly from the honour of Mowbray in Fridaythorpe (Yorkshire).²¹⁰

It would therefore appear that Nicholaa's sex rendered her neither less attractive nor less capable than a man as a lord. Not only was she prepared to reward those who served her well but her patronage of religious foundations provided a valuable focus for her followers' loyalties and offered them a means of expressing and perpetuating those loyalties through gifts of their own. Unlike William Marshal's retinue, Nicholaa's *familia* was largely drawn from her inherited tenants. Perhaps this was only to be expected; Nicholaa's barony had descended to her directly from her father, whereas the Marshal's lordships had been obtained through marriage and not an early marriage at that.²¹¹ The manner in which Nicholaa rewarded her followers with lands also looked back to the 'feudal' rather than forward to the 'bastard feudal' world. Yet we cannot ignore the signs that traditional tenurial bonds were beginning to be superseded even here and it is a measure of Nicholaa's personal ability and standing that she was both willing and able to tempt other lords' tenants into her service at all.²¹²

²⁰⁵ RB, I, 390-391.

²⁰⁶ BF, I, 169, 179. It is likely that this Roger served Nicholaa, while the one in the *Carta* was possibly just a relation.

²⁰⁷ CRR, XV, 80-81 no. 386.

²⁰⁸ BL, Harley MS. 2110, f. 72v, R4, X, 258-259 no. 2923, 267 no. 2931.

²⁰⁹ BL, Harley MS. 2110, f. 73v (x2). Henry gave this land to the priory. For Nicholaa's original grant and her confirmation of Henry's gift, see *Ibid.*, ff. 71v, 71v-72.

²¹⁰ BF, II (1224-1230), 1461.

²¹¹ Carpenter, 'Debate: Bastard Feudalism Revised', 187-188.

²¹² This gains added significance if we consider that many of the la Haye tenants who were listed in the 1212 survey of the tenants-in-chief did not witness any of the seventeen charters under consideration. This was, for example, true of William fitzPeter who held five bovates of land in Minting (BF, I, 170), Richer of Billingborough who held one knight's fee in Billingborough and other lands in Thorpe (*Ibid.*, I, 180, 186), and Robert of Pickworth who held one and a half knights' fees in Pickworth (*Ibid.*, I, 180).

II. Hawise de Quency

A study of Hawise de Quency complements that of Nicholaa de la Haye by revealing the interests and concerns of a Lincolnshire noblewoman who also enjoyed a long widowhood but was not a holder of government office. Hawise's life demonstrates how family ties and connections could occasionally combine with accidents of fate to propel a woman to the forefront of English landholding society. Hawise was the fourth and youngest sister of Ranulf III, earl of Chester and Lincoln.²¹³ Her husband, Robert de Quency, the son of Saher IV de Quency, earl of Winchester, predeceased her and so it was as a widow that she inherited a quarter of Ranulf's substantial possessions when he died without issue on 26 October 1232.²¹⁴ Shortly before his death, Ranulf had also attempted to convey the earldom of Lincoln to Hawise,²¹⁵ an act that received royal confirmation on 27 October 1232.²¹⁶ The king's subsequent decision, apparently made at Hawise's request, to grant the earldom to Hawise's son-in-law, John de Lacy, constable of Chester, on 22 November 1232²¹⁷ raises some intriguing questions about her role in the transfer of rights to a new dynasty.

Family Background and Marriage

In order to fully understand Hawise's position as a great heiress and her emergence as an important figure in Lincolnshire landed society, we need to consider her family background and, in particular, her standing in relation to that of her sisters. Very little can be gleaned about Hawise's early life. In spite of the interest shown by the Chester annals in the earls of Chester, their compiler neglected to record the births of Hawise and two of her sisters, Mabel and Agnes. Nevertheless, it is possible to make an informed guess concerning Hawise's date of birth, based on the dates of birth of Ranulf III and his sister Matilda, and the timing of the marriage and death of Earl Hugh II. According to the annals, Earl Hugh II married Bertrada, the daughter of Count Simon of Evreux, in 1169; Ranulf III was born in 1170, Matilda in 1171, and Earl Hugh II died in 1181.²¹⁸ If Mabel and Agnes were both

²¹³ See Appendix IV.

²¹⁴ During the latter part of his life, Ranulf was charged scutage on 250-300 knights' fees. About eighty of these were in Cheshire itself, while the remainder lay in other counties. These figures do not include the numerous fees that he held from the honours of Richmond and Leicester and surrendered in 1230-1231. See R. Eales, 'Henry III and the End of the Norman Eardom of Chester', in *TCE I*, 101.

²¹⁵ *CEC*, 309-310 no. 310.

²¹⁶ *PR 1225-1232*, 508.

²¹⁷ *CPR*, 1232-1247, 3.

²¹⁸ The Chester annals survives as a late fifteenth- or early sixteenth-century text, but is based on a chronicle that was probably started by Simon of Whitchurch, abbot of St. Werburgh's in Chester, between 1265 and 1291. See Gransden, *Historical Writing*, 405-406 n. 14. Matilda was included in the annals because her son, John the Scot, became earl of Chester on Ranulf III's death. See *Ann. Cest.*, 24-25, 28-29.

older than Hawise, as the comparative dates of their marriages suggest,²¹⁹ then Hawise was probably born between c. 1174 and 1181.

The circumstances of Hawise's upbringing are also difficult to trace. A single reference on the pipe roll of Michaelmas 1194, records the purchase of one cloak of rabbit skin and one fur 'for the use of Hawise, sister of the earl of Chester, and her governess' (*ad opus Hawise sororis comitis Cestrie et magistre sue*).²²⁰ Hawise and her siblings were minors on their father's death and therefore subject to royal guardianship. Her brother, Ranulf III, was recognised as earl of Chester in 1187 and knighted by King Henry II at Caen in 1189.²²¹ The new earl's marriage to Constance, duchess of Brittany and countess of Richmond, in the same year, was followed in quick succession by his oldest sister's marriage in 1190 to Earl David of Huntingdon, King William of Scotland's brother.²²² K. J. Stringer is undoubtedly right to regard Earl David's marriage as 'a distinctive mark of Angevin patronage' to a noble who had served the English Crown well. This alliance strengthened the bond between the two families, which had already been formed by Ranulf III's marriage with Constance, Earl David's niece, and helped to resolve past territorial disputes.²²³ Ranulf III played a leading role in arranging this match and a charter, issued in August 1190, records his grant to Earl David, with his sister in marriage, of land valued at sixty pounds, half in Essex and half in Lincolnshire, along with the service of fifteen knights.²²⁴

Another much smaller settlement was made on the marriage of Ranulf III's second sister, Agnes, to William de Ferrers, earl of Derby, in 1192, whereby Ranulf provided a marriage portion of ten pounds' worth of land in Donington (Lincolnshire) and five knights' fees.²²⁵ Similar provision was presumably made for the third sister, Mabel, when she married William III d'Aubigny, earl of Arundel, although the details do not survive.²²⁶ The existence of such an arrangement is certainly

²¹⁹ See below.

²²⁰ *Pipe Roll 1194*, 175.

²²¹ J. W. Alexander, *Ranulf of Chester: A Relic of the Conquest* (Athens, Georgia, 1983), 3.

²²² See Stringer, *Earl David*, 38-39.

²²³ *Ibid.*, 38.

²²⁴ CEC, 220-221 no. 220.

²²⁵ *Ibid.*, 262 no. 263. The relative smallness of this grant was probably because Agnes (also called Alice) had married an English earl, whereas Matilda had married a man who was both a Scottish prince and an English earl.

²²⁶ The birth of a son, William, to Mabel and her husband in 1200 indicates that this alliance had been consummated by 1199, if not well before. See Alexander, *Ranulf of Chester*, 2.



suggested by Ranulf III's subsequent grant to Mabel's and Arundel's daughter, Colette, of thirty pounds' worth of land from the manor of Leeds as her marriage portion.²²⁷

Of all the unions of the earl of Chester's sisters, however, Hawise's marriage to Robert de Quency is the best documented but most problematic. Confusion was caused by Sidney Painter's article, 'The House of Quency, 1136-1264', in which he claimed that Hawise's husband was a younger brother of Saher IV de Quency, earl of Winchester, and not Saher IV's eldest son.²²⁸ The main thrust of Painter's argument was that Hawise's and Robert's daughter, Margaret, did not ultimately succeed to all the Quency lands and become countess of Winchester as she ought to have done had she been Saher's granddaughter.²²⁹

Painter was entirely unaware of a charter, which conclusively proves that Hawise's husband was Saher IV de Quency's eldest son. This document records a grant made by Saher IV himself in c. 1208, to Robert de Quency, his son and heir (*Roberto de Quenci filio meo et heredi*), of one hundred pounds' worth of land in Long Buckby (Northamptonshire), Grantchester (Cambridgeshire), Bradenham (Norfolk) and Eynesbury Hardwick (Huntingdonshire) to give to his wife, Hawise, the earl of Chester's sister, in free dower.²³⁰ The witness-list of this document is identical to that of a corresponding charter issued by Hawise's brother, Ranulf III, recording his conveyance of land worth ten pounds in Sibsey (Lincolnshire) and three knights' fees in Cabourne (Lincolnshire) to Robert de Quency in free marriage with Hawise.²³¹

Ranulf III's and Saher IV's charters sit very comfortably together. It is strange that Geoffrey Barraclough, when editing the charters of the earldom of Chester, accepted the authenticity of Ranulf III's charter but rejected Saher IV's charter as a forgery.²³² In addition to accepting Painter's argument about Robert de Quency's identity, Barraclough raised four objections to Saher's charter. In the first place, he complained that it was issued after Saher IV was created earl of Winchester in 1207, when Hawise was in her late twenties. Barraclough found it hard to believe that she had

²²⁷ For Henry III's confirmation of this grant, see *CEC*, 437-438 no. 437.

²²⁸ See S. Painter, 'The House of Quency, 1136-1264', in *Feudalism and Liberty: Articles and Addresses of Sidney Painter*, ed. F. A. Cazel (Baltimore, 1961), 237-239.

²²⁹ *Ibid.*, 238. Margaret is the subject of case study III.

²³⁰ PRO, DL42/2, f. 481v. The charter is transcribed below in Appendix V.

²³¹ *CEC*, 305-307 no. 308. The only difference between the witness-lists of Ranulf III's and Saher's charters is that the last three witnesses of Ranulf III's charter, Nicholas fitzAlan, William, and Robert de Stanton, were omitted from the end of Saher's charter.

²³² There is a third charter relating to Hawise's marriage, which I accept is a forgery. See *CEC*, 307-309 no. 309 & n. For the difficulty of identifying the forger, see pp. 59-60 below.

remained single for so long. In the second place, he alleged that one of the witnesses, Richard of Lindsey, was 'apparently dead' by 1201. In the third place, Barraclough was troubled by the inclusion of another witness, Philip of Orreby, without his title, justiciar of Chester. In the fourth place, he drew attention to the fact that Hawise's and Robert's daughter, Margaret, married John de Lacy, constable of Chester, in 1221, and considered it unlikely, although not impossible, that Margaret was a child bride.²³³

Barraclough's objections do not stand up to close scrutiny. While it is hard to explain why Hawise had remained a spinster, it should be remembered that she was just one of four younger sisters of an earl. Perhaps another match had originally been proposed for her that had fallen through, or she had been intended to enter a religious house. Such a late date for a first marriage by a noblewoman is unusual but not inconceivable. The problematic witness, Richard of Lindsey, can still be found alive and litigating in the king's court in 1210.²³⁴ It is also possible to argue that Barraclough attached too much significance to Philip of Orreby's appearance without his title; such titles tend to appear rather erratically in charters. Moreover, if Hawise's daughter had been born in 1208 or 1209, she would have been twelve or thirteen at the time of her nuptials and it was not unusual for females from noble families to marry at an early age in medieval England. Canon law considered a girl capable of giving her consent to marry at the age of twelve.²³⁵ J. R. Lander found thirteen partners in eleven Neville family marriages between 1412 and 1436 who were under the age of sixteen.²³⁶ Considering that Hawise's three sisters had between them married the earls of Huntingdon, Arundel and Derby, Hawise's own marriage to the eldest son and heir of another earl was highly appropriate.

If Hawise's husband was Saher IV de Quency's eldest son, an explanation is needed for why her daughter, Margaret, was passed over as heir to her paternal grandfather's lands after Robert de Quency predeceased his father in 1217.²³⁷ When Saher IV died on crusade in 1219,²³⁸ Margaret's

²³³ CEC, 305-307 no. 308n.

²³⁴ CRR, VI, 27-28. Richard of Lindsey was a member of the inner *familia* of Hawise's brother-in-law, Earl David of Huntingdon, who himself acted as a witness to Ranulf III's and Saher IV's charters. See Stringer, *Earl David of Huntingdon*, 160, 253 no. 53.

²³⁵ *Women in England c. 1275-1525*, ed. and trans. P. J. P. Goldberg (Manchester, 1995), 10. The age of consent for boys was fourteen years.

²³⁶ J. R. Lander, 'Marriage and Politics in the Fifteenth Century: the Nevilles and the Wydevilles', *BIHR*, XXXVI (1963), 121.

²³⁷ According to Gerald of Wales, Robert de Quency was killed by the medical ministrations of a Cistercian monk. See *Giraldi Cambrensis Opera*, ed. J. S. Brewer, J. F. Dimock and G. F. Warner (8 vols., RS, 1861-1891), IV, 174-175. Margaret's disinheritance is mentioned by Holt, although he does not examine its political background. See J. C. Holt, 'The *Casus Regis*: the Law and Politics of Succession in the Plantagenet Dominions, 1185-1247', in *Colonial England, 1066-1215* (London, 1997), 324-325. It is also dealt with briefly in G. G. Simpson, *An Anglo-Scottish Baron of the Thirteenth Century: The Acts of Roger de Quency, Earl of Winchester and Constable of Scotland* (unpublished University of Edinburgh thesis, 1965), 22-27.

uncle, Roger de Quency, succeeded to the Quency lands, while Saher's widow, Margaret de Beaumont, retained possession of the earldom of Winchester that her husband had secured in her right.²³⁹ Inheritance in late twelfth- and early thirteenth-century England has often been presented in fairly clear-cut terms. *Glanvill*, a late twelfth-century legal treatise, described a pattern of descent where male heirs were preferred to female heirs but lineal descendants were even more strongly preferred: daughters were normally expected to inherit as co-heiresses in the absence of a son, and if a son or daughter died leaving living offspring, a grandson or granddaughter ought to succeed before a brother or a sister.²⁴⁰ Nevertheless, Milsom has questioned whether the law was always quite so rigid in practice, raising serious doubts about the consistency of its application and arguing that sometimes a 'lord's need of a man merged into a general preference for the male line' at the expense of the female.²⁴¹ He uncovered two examples where the daughters of a 'dead elder son' were overlooked in favour of a 'living younger son' (i.e. their uncle) as a direct result of royal intervention. Henry II made this choice when disposing of the Lincolnshire barony of Redbourne²⁴² and Richard I made a similar choice when dealing with the Mandeville barony of Pleshy.²⁴³ Admittedly, both these baronies later reverted to the daughters of the senior line because it suited the Crown's interests.²⁴⁴ Milsom did, however, find a Leicestershire case that came before the king's court in 1220 where a younger son who had obtained his father's property to the detriment of his niece was left in possession.²⁴⁵

What Milsom did not render fully explicit was that it was not just granddaughters but also grandsons who were sometimes losing out to uncles in the succession to estates at this time. The Mandeville case has been re-examined by both Ralph V. Turner and J. C. Holt and placed more firmly within the context of the *casus regis* and the wider issue of whether the representative (i.e. a grandchild) or cadet

²³⁸ *Ann. Mon.*, II, 292.

²³⁹ There are no grounds for suspecting that Margaret was set aside as Saher's heir over doubts about her father's legitimacy. A charter issued by Roger de Quency in c. 1240, which recorded the burial of Margaret's and Robert's hearts together before the high altar at the hospital of St. John and St. James in Brackley (Northants.), shows that Robert was Saher IV's eldest son by Margaret de Beaumont. Margaret de Beaumont herself made a donation to Brackley for the souls of Saher, her lord, and Robert, her son. See Simpson, *An Anglo-Scottish Baron*, 136-138 no. 101, 212-214 no. 4.

²⁴⁰ *Glanvill*, 75-79.

²⁴¹ Milsom, 'Inheritance by Women', 68.

²⁴² When Reginald de Crevequer died between 1165 and 1172, his wife's inheritance was granted to her younger son, Simon, instead of her granddaughter by her deceased eldest son. See *Ibid.*, 64, 68.

²⁴³ On William de Mandeville's death in 1189, the king gave the inheritance to the younger son of William's aunt, Beatrice de Say, rather than to the daughters of his deceased elder brother. See *Ibid.*, 64, 66-67.

²⁴⁴ *Ibid.*, 66-68.

²⁴⁵ *Ibid.*, 68-69.

(i.e. a younger brother) was the rightful heir to a lord's estates.²⁴⁶ The form of succession that the royal house itself had followed after 1199 was one where the cadet had triumphed at the expense of the male and female representatives.²⁴⁷ Both Turner and Holt have highlighted the difficulties that the royal justices faced between 1199 and 1241 over disputes between representative heirs and cadets. A judgement in favour of the former might cast doubt on the king's own claim to the throne, allowing cadets a greater chance of enforcing their rights through political manoeuvring.²⁴⁸ Even so, as Holt has acknowledged, an uncle stood a better chance of pursuing his claim if his rival was a niece rather than a nephew because the prejudice against female heirs might work in his favour.²⁴⁹ The passing over of Hawise's and Robert de Quency's daughter, Margaret, is important because it firmly supports this view.

Although we do not know how Hawise de Quency reacted to her daughter's disinheritance, it is easy to understand why it might have been desirable from the points of view of Roger de Quency and Margaret de Beaumont to overlook the younger Margaret as Saher's heir. In 1219, she was unmarried and only ten years old at most. Her inheritance of Saher's lands would have brought them into royal wardship to their possible injury. Yet her uncle, Roger de Quency, by contrast, had already attained his majority and his control of Saher's estates was more likely to be free from external interference.

Steps towards Roger's recognition as Saher's heir had initially been taken when Saher settled his affairs to go on crusade in 1218-1219.²⁵⁰ It was probably at this time that Roger was named as Saher's heir in one of his father's charters, which was subsequently entered in the book of St. Andrews.²⁵¹ Evidence for Roger's closer association with the running of his father's estates after his elder brother's death can be found elsewhere. The register of Dunfermline Abbey records a grant by Saher IV to this house *pro animabus ... R. de Quinci patris mei et. R. filii mei* to which Roger de Quency's

²⁴⁶ R. V. Turner, 'The Mandeville Inheritance, 1189-1236: Its Legal, Political and Social Context', *HSJ*, I (1989), 147-172; Holt, 'The *Casus Regis*', 307-326. On the legal problem when a person dies, leaving a grandson by a dead elder son and a younger son, see *Glanvill*, 77-78.

²⁴⁷ When King John secured the English throne on the death of Richard I, there was another claimant in Arthur of Brittany, the son of John's dead older brother, Geoffrey. John was later alleged to have disposed of Arthur by murder, leaving Arthur's sister Eleanor, as the remaining rival heir who lived in captivity until her death in 1241. See Turner, 'The Mandeville Inheritance', 154; Holt, 'The *Casus Regis*', 307-310.

²⁴⁸ Turner, 'The Mandeville Inheritance', 160-161.

²⁴⁹ Holt, 'The *Casus Regis*', 313.

²⁵⁰ Saher IV de Quency departed on crusade in the early months of 1219. See *PR 1216-1225*, 185; A. Macquarrie, *Scotland and the Crusades 1095-1560* (Edinburgh, 1997), 36.

²⁵¹ *Liber Cartarum Prioratus Sancti Andree in Scotia* (The Bannatyne Club, LXIX, 1841), 255-256. Simpson, *An Anglo-Scottish Baron*, 30. Saher IV de Quency was a distant kinsman of Earl David of Huntingdon and had strong Scottish connections. See Stringer, *Earl David*, 45.

seal was attached alongside that of his father's.²⁵² It would appear that Hawise's and Robert's daughter was squeezed out of the Quency line of inheritance in the contingency plans that Saher made for the future of his lands.

Nevertheless, the evidence for Margaret's disinheritance presents certain difficulties because there is no record of the precise date at which she was betrothed to John de Lacy, constable of Chester. When this match was planned, it might well still have been hoped by John de Lacy, Margaret's mother, and Margaret's maternal uncle, Ranulf III of Chester, that Margaret would succeed to the Quency lands and eventually, on the death of Saher IV's widow, to the earldom of Winchester itself. In the summer of 1218, John de Lacy accompanied the earl of Chester on crusade²⁵³ and it was either before, during or after this journey overseas that John de Lacy's marriage to Hawise's daughter was arranged.

If Margaret and John's marriage had been negotiated before Ranulf III and his future son-in-law went on crusade, it might also be possible to regard the circumstances surrounding Margaret's disinheritance as an extension of the royal government's antagonism towards Ranulf III. Although the prospect of having both Margaret and the Quency lands in royal wardship might have seemed attractive to the Crown, government support for Margaret's disinheritance might represent a move by the justiciar, Hubert de Burgh, against his old rival, Ranulf III, and John de Lacy to prevent the accumulation of further territorial wealth and influence in their hands.²⁵⁴ With both Ranulf and John absent on crusade, it would have been relatively easy for Margaret's rights to have been set aside not only by Saher IV, who had departed for the East after Ranulf and John, but also by the minority government.

News of Saher's death at Damietta on 3 November 1219 had reached the royal court in England by 21 July 1220 when the sheriffs of Oxfordshire, Huntingdonshire, and Cambridgeshire were advised that Roger de Quency, who was described as Saher's son and heir, should not be disseised of his lands in their bailiwicks.²⁵⁵ When Ranulf III returned from crusade, he did not visit the king but travelled instead to Chester where he met with the Welsh prince Llywelyn.²⁵⁶ Perhaps Ranulf's dissatisfaction with his niece's disinheritance explains this course of action, adding to his feelings of

²⁵² *Registrum de Dunfermelyn* (The Bannatyne Club, LXXIV, 1842), 90-91 no. 155. Roger's name also appeared on the witness-list, although he was not designated as Saher's son and heir.

²⁵³ *Ann. Mon.*, II, 289; *Ibid.*, III, 54.

²⁵⁴ For Ranulf III's uneasy relationship with Hubert, see Carpenter, *The Minority*, 212.

²⁵⁵ RLC, I, 423b. The letters close were witnessed by Hubert de Burgh. Hubert had pushed Ranulf III's friend, Peter des Roches, from the head of the royal administration by the summer of 1220. See N. Vincent, *Peter des Roches: An Alien in English Politics, 1205-1238* (Cambridge, 1996), 195.

alienation from the royal court. The idea that Margaret's disinheritance was directed, from the royal government's point of view, against Ranulf III and John de Lacy, is supported by the fact that in backing Roger de Quency, Hubert de Burgh was not backing a man of great political influence in his own right. Roger de Quency does not feature at all in the close, patent and charter rolls as a recipient of royal favour before the order of 21 July 1220.

Even if Margaret's marriage to John de Lacy had not been arranged before Ranulf III and his future son-in-law went on crusade, the Crown certainly did Roger de Quency a tremendous favour in recognizing his rights over those of his niece. The events of these years were also probably intended to lay the foundations for Roger de Quency's eventual recognition as his mother, Margaret de Beaumont's successor. Again it was Roger and not his elder brother's daughter, who succeeded to the earldom of Winchester on Saher's widow's death in 1235.²⁵⁷ A final concord of 1230 does, however, reveal that John and Margaret de Lacy received some form of compensation. By the terms of this document, John and Margaret de Lacy agreed to recognize all the lands from the inheritances of both Saher IV de Quency and Margaret de Beaumont as Roger de Quency's right.²⁵⁸ In return for this concession, Roger granted them the Dorset manor of Kingston Lacy, and lands and rights in Wimborne, Blandford and Wimborneholt, together with those four of Saher's former manors which Hawise de Quency held in dower, and which would now to revert to John and Margaret when Hawise died.²⁵⁹

The Earldom of Lincoln

Hawise and her daughter's experiences strongly suggest that a noblewoman's personal interests could be rendered vulnerable by the political interests and fortunes of her male relations and in-laws. Her daughter and son-in-law's disappointment over the earldom of Winchester might explain Hawise's subsequent involvement in a scheme to transfer the earldom of Lincoln from her brother, Ranulf III, to Margaret and John de Lacy. Ranulf III took the unprecedented step of conveying the earldom of

²⁵⁶ Carpenter, *The Minority*, 212. John de Lacy returned with him. See *Ann. Mon.*, III, 60.

²⁵⁷ ERF, I, 274-275. Roger was first described as Margaret's heir in an entry in the fine rolls, dated 13 July 1229, where it was recorded that Margaret, countess of Winchester, had given the king eighty marks in return for a grant of the lands of the Normans in her fee. See *Ibid.*, I, 186.

²⁵⁸ *Johannes et Margareta recognoverunt... totam hereditatem ipsius Saeri [de Quency] in Anglia. Scotia. Flandria et in Normannia et totam hereditatem ipsius Margarete comitisse Wintonie. in Anglia et in Normannia esse jus ipsius Rogeri [de Quency]*. See PRO, DL25/2336; *Full Abstracts of the Feet of Fines relating to the County of Dorset, Richard I to Edward II*, ed. E. A. Fry and G. S. Fry (Dorset Records, V, 1896), 151-152 no. 77.

²⁵⁹ PRO, DL25/2336. These four manors were those which Saher IV had given his son Robert in c. 1208 in order to endow Hawise, namely Long Buckby, Grantchester, Eynesbury Hardwick and Bradenham. See Appendix V.

Lincoln to his sister Hawise shortly before his death. By means of a charter, which was probably drawn up between late September and October 1232, Ranulf gave, granted and confirmed:

*domine Hawise de Quency sorori mee karissime comitatum Lincolnie, scilicet quantum ad me pertinuit, ut inde comitissa existat, habendum et tenendum de domino meo rege Anglie eidem Hawise et heredibus suis libere, quiete, plene pacifice et integre iure hereditario cum omnibus pertinentiis suis et cum omnibus libertatibus ad predictum comitatum pertinentibus.*²⁶⁰

The importance and highly unusual character of this grant was reflected by the distinguished list of persons who acted as its witnesses. These included Peter des Roches, bishop of Winchester, Alexander, bishop of Coventry and Lichfield, Richard Marshal, earl of Pembroke, William de Ferrers, earl of Derby, and Stephen of Seagrave, justiciar of England.²⁶¹ For this transfer to be legitimate, the king's personal consent was required and this was duly granted on 27 October 1232, just a day after Ranulf III died.²⁶²

Although it was not unknown for a noblewoman to carry an inherited title to a new husband on marriage, or for a husband to secure royal recognition of his wife's claim to a title, Hawise de Quency's role in the earldom of Lincoln's transfer represented a new departure. The speed and efficiency with which the earldom of Lincoln's subsequent handover to John and Margaret de Lacy was carried out in the month following Ranulf's death certainly creates the impression that this was all part of a premeditated plan for the disposal of Ranulf III's estates.²⁶³ It was finalised on 22 November 1232, just one day after Hawise's eldest sister's son, John the Scot, had been created earl of Chester by the king and on the same day that Hawise de Quency and her brother's other co-heirs were first allocated their shares of the Chester inheritance.²⁶⁴

It is extremely interesting that Ranulf III decided that it should be Hawise and through her daughter and son-in-law who should receive the earldom of Lincoln rather than any of his other co-heirs. Perhaps these arrangements reflect the partial fulfilment of the ambitions of her son-in-law, John de Lacy, more than they do the fruition of Hawise's own aspirations. Maybe there was an

²⁶⁰ CEC, 309-310 no. 310.

²⁶¹ *Ibid.*, 310 no. 310. The other witnesses were: Simon de Montfort, William de Ferrers (the earl of Derby's son), Philip de Albiniaco, Henry de Aldithleia and William de Cantilupe. I have dated this charter slightly differently from Barraclough because Stephen of Seagrave did not become justiciar until 23-30 September 1232. See Vincent, *Peter des Roches*, 315.

²⁶² PR 1225-1232, 508. This took place on the same day that Henry III assigned Ranulf's widow her dower and *maritagium*. Although this piece of business was dealt with at Oxford, other entries on the close rolls indicate that the king himself had visited Wallingford, the place where Ranulf had died, earlier that day. See CR 1231-1234, 123; *Ann. Cest.*, 58-59.

²⁶³ See Eales, 'Henry III', 103.

element of both involved. It is highly unlikely that Ranulf III would have involved Hawise if she had not been a willing participant. Richard Eales has pointed out that John de Lacy was the only one of Ranulf's co-heirs who was not already in possession of a comital title,²⁶⁵ a situation which assumes added significance in view of his wife's failed succession to the earldom of Winchester. John was one of Ranulf III's leading tenants in terms of wealth and status; he held just over 115 knights' fees which were chiefly composed of the honours of Clitheroe and Pontefract, and of the baronies of Widnes and Halton which he enjoyed as constable of Chester.²⁶⁶ Hawise's son-in-law certainly possessed the means to support the title of earl. By conveying the earldom of Lincoln to Hawise first, rather than granting it directly to John and Margaret de Lacy, Ranulf III was able to create an impression of continuity in succession, thereby reducing the potential for future disputes with the other co-heirs.²⁶⁷ After the earldom had been transferred to John, Hawise continued to be styled 'countess of Lincoln' in both charters and government records, as if she were a dowager countess.²⁶⁸

Hawise and the Chester Inheritance

The distribution of Ranulf III's estates in the months after his death sheds further light on Hawise de Quency's involvement in the earldom of Lincoln's transfer. In order to support his new position as earl of Chester, John the Scot was invested with the county palatine of Chester.²⁶⁹ In so far as the other co-heirs were concerned, Hugh d'Aubigny, the son of Ranulf's dead second sister, Mabel, was granted the manor of Barrow-upon-Soar (Leicestershire) as his chief seat and the manors of Campden (Gloucestershire), Coventry (Warwickshire) and Olney (Buckinghamshire).²⁷⁰ Ranulf's third sister, Agnes and her husband, William de Ferrers, received the castle and manor of Chartley (Staffordshire) *pro capitali mesuagio* (sic), along with the castle and vill of West Derby (Lancashire), all of Ranulf III's former lands between Ribble and Mersey, and the vill of Bugbrooke (Northamptonshire) and Navenby (Lincolnshire).²⁷¹ Finally, Hawise was allocated the castle and

²⁶⁴ *Ibid.*, 103-104; CPR 1232-1247, 3; *Ann. Cest.*, 58-59; CR 1231-1234, 169.

²⁶⁵ Eales, 'Henry III', 104.

²⁶⁶ Holt, *The Northerners*, 26.

²⁶⁷ See p. 52 above on linearity.

²⁶⁸ See p. 65 below.

²⁶⁹ *Ann. Cest.*, 58-59; R. Stewart-Brown, 'The End of the Norman Earldom of Chester', *E HR*, XXXV (1920), 27-30. John the Scot's mother, Matilda, was still alive at the time of Ranulf's death but died in early 1233. This is another case of a female heiress being overlooked in favour of a more suitable male heir.

²⁷⁰ CR 1231-1234, 169; Stewart-Brown, 'The End', 31.

²⁷¹ CR 1231-1234, 169; Stewart-Brown, 'The End', 31.

manor of Bolingbroke (Lincolnshire) as her chief seat and received all the lands which her brother held in Lindsey and Holland (in the same county).²⁷²

Once the landed possessions of Ranulf III were distributed, the second part of the Chester partition was finalised on 12 September 1233 with the division of the late earl's knights' fees that lay outside the county palatine of Chester among his co-heirs. Hawise's personal share firmly reinforced her standing in Lincolnshire; the names of fifty-nine individuals who held fees in this county and another two who held fees in the neighbouring county of Yorkshire were assigned to her portion.²⁷³

In view of the earldom of Lincoln's transfer to John de Lacy, it might also have been expected that Hawise's Lincolnshire share of the Chester lands and knights' fees would pass into her son-in-law's keeping. There is, however, no evidence that this happened. On the contrary, John de Lacy was content to allow Hawise to remain peacefully in possession of her inheritance. In 1242-1243, for example, she was charged scutage on the ten Lincolnshire knight's fees that she held in demesne as a tenant-in-chief and which probably pertained to the honour and soke of Bolingbroke.²⁷⁴ It is important to remember that Hawise was now in her fifties and sixties, and well past childbearing age. Perhaps John was sufficiently secure in the knowledge that her lands would pass to his wife, Margaret, Hawise's only daughter, on her death. He was not to know that he would predecease them both; on Hawise's death in 1243, it was Margaret and her second husband, Walter Marshal, who received *omnes terras quas predicta Hawisia tenuit de Rege in capite et que ipsam Margaretam hereditarie contingunt*.²⁷⁵

Notwithstanding, Hawise's relationship with John de Lacy casts doubt on the extent of her freedom of action. This is especially relevant with regard to her subsequent involvement in litigation with her co-heirs. As early as March 1234, William de Ferrers had complained to the king that Hawise had been making the knights of the honour of Greetham, whose services had been assigned to William and his wife, perform suit to her court. Henry III responded by ordering the sheriff of Lincoln to see that Hawise's interference ceased.²⁷⁶ The manner in which this grievance was specifically directed against Hawise implies that, in this instance, she was personally responsible for her actions. During the course of 1234-1235, however, Hawise de Quency became engaged in a much more serious and

²⁷² CR 1231-1234, 169-170; Stewart-Brown, 'The End', 31.

²⁷³ CR 1231-1234, 263-264; Stewart-Brown, 'The End', 33. The close rolls fail to disclose the precise number of fees.

²⁷⁴ BF, II, 1002; HKF, III, 157.

²⁷⁵ ERF, I, 396.

²⁷⁶ CR 1231-1234, 392; HKF, II, 83. Stewart-Brown wrongly refers to Greetham as Grantham. See Stewart-Brown, 'The End', 33.

wide-ranging dispute between John the Scot, on the one hand, and his co-heirs on the other.

Although Hawise was always named as a litigant in the court rolls, we cannot exclude the possibility that her son-in-law, John de Lacy, who was rising high in the king's favour at this time,²⁷⁷ played some sort of role behind the scenes.

Between Trinity 1234 and Easter 1235, John the Scot was summoned into the king's court to explain why he had supposedly deforced Hugh d'Aubigny, Agnes and William de Ferrers, and Hawise de Quency of their reasonable share of their inheritance in the county of Chester itself.²⁷⁸ Hawise and her co-heirs clearly felt that the lands which they had been allocated from Ranulf III's holdings outside the county were poor in comparison with those that John the Scot had received inside the county. They now argued that each of them was also entitled to part of the county of Chester itself.²⁷⁹ John the Scot, through his attorney, countered their claims by arguing that he ought not to reply because the king's writ did not run in the county of Chester and he did not have to answer a summons issued outside the county which related to lands inside the county.²⁸⁰ He repeated this objection on his second appearance at Nottingham in 1236.²⁸¹ For the purposes of this case study, it is interesting to observe that at the second hearing, John the Scot also stated that he should not be bound to answer because Hawise de Quency was absent from these proceedings. As a consequence, Hawise was placed in mercy for her non-attendance.²⁸² Hawise's failure to attend the second hearing calls into question her level of personal commitment to this case and suggests that she might initially have become involved as a result of pressure from her co-heirs and/or son-in-law rather than by her own free will. Unfortunately, the result of this dispute is unknown; judgement was postponed until a later date and possibly prevented by John the Scot's death in 1237.²⁸³

Questions about Hawise's own territorial acquisitiveness and her relationship with her son-in-law are also raised by Barraclough's argument that she tried to establish a title to lands in Waddington (Lincolnshire) during the division of the Chester inheritance by overseeing the forgery of a charter that would support her claim. The forged charter itself is a grant by Ranulf III, earl of Chester and

²⁷⁷ See case study III.

²⁷⁸ CRR, XV, 365-366 no. 1423A.

²⁷⁹ *Ibid.*, 365-366 no. 1423A; Stewart-Brown, 'The End', 34-35.

²⁸⁰ CRR, XV, 365-366 no. 1423A; Stewart-Brown, 'The End', 35.

²⁸¹ CRR, XV, 498-499 no. 1958.

²⁸² *Ibid.*, XV, 498-499 no. 1958.

²⁸³ *Ibid.*, 498-499 no. 1958; Stewart-Brown, 'The End', 36.

Lincoln, to Hawise in *maritagium* of ten pounds' worth of land in Waddington.²⁸⁴ This charter survives as a copy, written in a hand of c. 1300 and is different in both form and witnesses from the other two charters relating to Hawise's marriage that were discussed earlier in this case study.²⁸⁵ On balance, it seems unlikely that either Hawise or John de Lacy was involved in the production of this document. As Barraclough acknowledged, Waddington formed part of the traditional dower lands of the countesses of Chester and had been assigned to Ranulf III's second wife, Clemencia, on Ranulf's death in 1232.²⁸⁶ There are no indications that Hawise or John and Margaret de Lacy contested Clemencia's seisin of Waddington. On Clemencia's death in 1252, however, her dower lands were divided between Ranulf III's co-heirs and their descendants, and this may have caused discord. In July 1253, a letter close laid down that if any heir refused to abide by the partition, he was to be compelled to do so.²⁸⁷ Perhaps Hawise's widowed daughter, Margaret, who had inherited her mother's lands, was the forger of the grant of lands in Waddington to her mother.²⁸⁸

Hawise and Estate Administration: I. The Charter Evidence

The death of Ranulf III, earl of Chester, made a tremendous difference to Hawise de Quency's personal wealth and standing. The widowed younger sister of an earl was transformed, almost overnight, into a pre-eminent figure in Lincolnshire society who controlled vast estates in that county as a *femme sole*. Hawise's great-great-granddaughter's marriage to Thomas, earl of Lancaster (d. 1322), whose nephew became the first duke of Lancaster, ensured that many documents relating to her estates have survived in the duchy's archive. The widowed Hawise features as a grantor in just two charters in this collection²⁸⁹ but appears as a grantee or agreeing party in forty-one other charters and final concords. In the absence of any surviving account rolls, an analysis of the nature and location of the property that Hawise exchanged and obtained by these deeds provides a useful insight into her role as an estate manager from a slightly different angle to that used above for Nicholaa de la Haye.

The social status of the people with whom Hawise entered into property-related agreements is often hard to establish but seems to have ranged from members of the knightly class to lesser free tenants.

²⁸⁴ See *CEC*, 307-309 no. 309 & n.

²⁸⁵ For a discussion of the problems with the third charter, see *Ibid.*, 307-309 no. 309n.

²⁸⁶ *Ibid.*, 307-309 no. 309n; *CR 1231-1234*, 123. For Clemencia, see S. Johns, 'The Wives and Widows of the Earls of Chester, 1100-1252: the Charter Evidence', *HSJ*, VII (1995), 129.

²⁸⁷ *CPR 1247-1258*, 236. See also *Ibid.*, 238.

²⁸⁸ A more plausible candidate is Margaret's grandson and heir, Henry de Lacy, who held one bovaté of land in Waddington from the honour of Chester in 1284-1285 and was alive in c. 1300. See *HKF*, II, 200.

²⁸⁹ *PRO*, DL36/2/39; DL36/3/50. These two documents relate to Hawise's religious patronage and are discussed on pp. 64-65 below.

Those who belonged to the first group included the family of Gilbert de Turs, a tenant of Hawise whose three knights' fees in Cabourne formed part of Hawise's marriage portion.²⁹⁰ Gilbert's widow leased Hawise one toft and six bovates of land in Cabourne to farm for the term of the grantor's life at an annual rent of 24s.,²⁹¹ and Gilbert's daughter granted Hawise one toft, one bovat and various smaller parcels of land in the same place in return for a one-off payment of two and a half marks in her great necessity (*in magna necessitate mea*).²⁹² Moving down the social scale, there were even occasional craftsmen, such as William the smith (*faber*), son of Richard the smith, who quitclaimed land to Hawise in Toynton St. Peter.²⁹³

There was a striking territorial pattern to Hawise's dealings and she seems to have concentrated on obtaining lands, rents and rights, primarily by purchase or exchange, in two areas in particular: Eynesbury Hardwick (Huntingdonshire) and Wrangle (Lincolnshire).²⁹⁴ Twelve deeds relate to Eynesbury Hardwick²⁹⁵ and another twelve to Wrangle.²⁹⁶ Of the remaining documents, two concern property in Cabourne (Lincolnshire),²⁹⁷ two Riby (Lincolnshire),²⁹⁸ two Coates (Cambridgeshire),²⁹⁹ one Grantchester (Cambridgeshire),³⁰⁰ one Long Buckby (Northamptonshire),³⁰¹ one Castle Donington (Leicestershire),³⁰² one Toynton St. Peter (Lincolnshire),³⁰³ one Scartho (Lincolnshire),³⁰⁴

²⁹⁰ See CEC, 305-306 no. 308.

²⁹¹ PRO, DL25/3100.

²⁹² PRO, DL25/3122.

²⁹³ PRO, DL36/2/161.

²⁹⁴ See Appendix VI.

²⁹⁵ PRO, DL25/3221; DL25/3222; DL25/3223; DL25/3228; DL25/3229; DL25/3230; DL25/3234; DL25/3237; DL36/2/137; DL36/2/143; DL36/2/144; DL36/2/184.

²⁹⁶ PRO, DL25/2412; DL25/2416; DL25/2439; DL25/2452; DL25/2459; DL25/2460; DL25/2477; DL25/3220; DL25/3629; DL36/2/43; DL36/3/108; DL36/3/185.

²⁹⁷ PRO, DL25/3100; DL25/3122.

²⁹⁸ PRO, DL36/2/202; DL36/3/1.

²⁹⁹ PRO, DL25/2394; DL25/3396. DL25/3396 is a release and quitclaim by Beatrice de Faffinton to Hawise of certain rents. No location is given but the grant probably relates to Coates because this was where Warin de Faffinton (DL25/2394) also resigned certain rights to Hawise.

³⁰⁰ PRO, DL25/3391.

³⁰¹ PRO, DL25/2270.

³⁰² PRO, DL25/2242. See p. 63 below.

³⁰³ PRO, DL36/2/161.

³⁰⁴ PRO, DL36/2/31.

one Humberston and Tetney (Lincolnshire),³⁰⁵ one Mablethorpe (Lincolnshire),³⁰⁶ one Greetham (Lincolnshire),³⁰⁷ one Thorley (Lincolnshire),³⁰⁸ one Barford (Huntingdonshire),³⁰⁹ and one Wainfleet (Lincolnshire).³¹⁰ Hawise already held important demesne manors in or near many of these places, betraying a marked interest on her part in consolidating those estates that she had obtained as her dower, *maritagium*, and inheritance.³¹¹

The absence of dating clauses for most of these transactions makes it difficult to detect any shifts in Hawise's attention from one estate to another over time, as might have happened when she received her Lincolnshire inheritance. A deed of Simon Le Bret, whereby he exchanged all his land in Wrangle for all of Hawise's land in Eynesbury Hardwick,³¹² is at least indicative that such a change in focus occurred. Neither is it entirely clear why Eynesbury Hardwick and then Wrangle were singled out for such particular attention.³¹³ Part of Wrangle's attraction might have lain in the fact that it was situated in a fenland area where there were opportunities for land reclamation. Wrangle's position as a coastal port might also have been of consequence;³¹⁴ perhaps Hawise was concerned to share in the profits from its trade. Helen, widow of William Coupman, granted Hawise one toft in Wrangle 'with the whole beach and with all appurtenances' (*cum toto greva et cum omnibus pertinenciis*).³¹⁵ Another charter issued by John Le Bret of Wrangle gave Hawise a road lying to the south, 'up to the beach of the Abbot of Waltham' (*usque ad grevam Abbatis de Waltham*).³¹⁶ Moreover, a final concord that was

³⁰⁵ PRO, DL25/2912.

³⁰⁶ PRO, DL25/3151.

³⁰⁷ PRO, DL25/51.

³⁰⁸ PRO, DL36/2/247.

³⁰⁹ PRO, DL25/50.

³¹⁰ PRO, DL36/2/83.

³¹¹ See Appendix VI.

³¹² PRO, DL25/2412. See also PRO, DL36/3/185.

³¹³ A further complication is that Eynesbury Hardwick seems to have come into Roger de Quency's hands before Hawise's death. See *Liber Memorandum Ecclesie de Bernewelle*, ed. J. W. Clark (Cambridge, 1907), 264

³¹⁴ See Platts, *Land and People*, 195.

³¹⁵ PRO, DL25/2439. For an almost identical grant by Helen, which is witnessed by the same people, see PRO, DL25/2452.

³¹⁶ PRO, DL25/2477.

drawn up between Hawise and Philip of Kyme in May 1240 shows that she was interested in the commercial prosperity of another Lincolnshire port, Wainfleet.³¹⁷

The varying size and nature of Hawise's acquisitions suggest that she followed a conscious policy of consolidating her demesne properties by ensuring, as far as possible, that both large and small rents and parcels of land in a desired locality came into her hands. Simon Le Bret's charter, which granted Hawise all his land in Wrangle, for example, laid down that Hawise was to perform homage and service for three parts of one knight's fee to the count of Brittany, as well as paying the Abbot of Waltham an annual rent of 20s. and one pound of pepper.³¹⁸ At the other extreme, Magnus fitzYwin of Wrangle and Richard fitzSwyft of Wrangle, both quitclaimed to Hawise the halfpenny rent that she owed to each of them for land which she had by the gift of Adam son of Reginald fitzMatthew.³¹⁹ Hawise was thorough in her pursuit of new rights and appreciated the importance of establishing an undisputed title to any property that she secured.

Although it is impossible to know whether any coercion was employed in persuading grantors to acquiesce to Hawise's wishes, it is interesting that nine of the twelve Eynesbury Hardwick charters were issued by one man, John Scott of Eynesbury Hardwick.³²⁰ This certainly suggests an overwhelming desire by Hawise and her agents to secure possession of his property. Furthermore, Hawise's treatment of the lands of those underage heirs who came into her custody as wards strengthens the impression that she exploited all her resources to the full. In 1238, Henry of Humberston, a falconer (*falconarius*), not only paid Hawise a lump sum of thirty marks but also agreed to pay her an annuity of three marks for the custody of Margaret, his daughter, and Margaret's inheritance from her mother until Margaret should come of age.³²¹ An indented agreement between Hawise and Simon of Barford records the demise to Simon, for a period of six years from 3 May 1234, of land which she held in guardianship from the inheritance of Richard, son of Simon de Says, her ward, in return for an annual rent of nine marks per annum.³²² In so far as we can tell, Hawise held her own as an astute estate administrator.

³¹⁷ PRO, DL36/2/83; *Lindsey Docs.*, 88-89 no. 49.

³¹⁸ PRO, DL25/2412.

³¹⁹ PRO, DL25/2459; PRO, DL25/2460. For Adam fitzReginald's original grant to Hawise, see PRO, DL36/2/43.

³²⁰ PRO, DL25/3223; DL25/3228; DL25/3229; DL25/3230; DL25/3234; DL25/3237; DL36/2/143; DL36/2/144; DL36/2/184.

³²¹ PRO, DL25/2912.

³²² PRO, DL25/2242.

Hawise and Estate Administration: II. Ecclesiastical Interests

Hawise's succession to her share of the Chester inheritance, and her life interest in her Quency dower, also brought her directly into contact and sometimes into conflict with established ecclesiastical interests. Her relationship with the Church operated on two basic levels. On the one hand, she was a secular landowner who wished to uphold her predecessors' rights of presentation to local churches. On the other hand, she was also a religious benefactor who, like Nicholaa de la Haye, was concerned with the salvation of the souls of her deceased husband and her ancestors.

The registers of Hugh of Welles and Robert Grosseteste, bishops of Lincoln, show that Hawise energetically fulfilled the first of these roles and exercised her rights of presentation to local churches. She presented a new parson to the church of Toynton All Saints and new rectors to the churches of Winceby, Little Steeping and Toynton St. Peter.³²³ She was also quite prepared to resort to litigation to prevent any unauthorised encroachments on her rights by religious houses. In 1242-1243, for example, Hawise sued the abbot of St. Nicholas d'Angers for breaking an agreement that had been made between her late brother, Earl Ranulf III, and Constantine, sometime abbot of St. Nicholas, touching temporal matters relating to Spalding Priory. The abbot was obviously reluctant to reply to Hawise and it was recorded that he had defaulted on many occasions; the sheriff was ordered to distrain his lands so that he would attend the court.³²⁴ Sometimes Hawise's personal ambitions as a secular landowner caused her to covet Church property and rights rather than the other way round. In 1223 and 1224, for example, she sued the prior of Barnwell on the grounds that he had intruded himself in nine acres of land, following the death of Guy of Coates, whom Hawise claimed had been her tenant.³²⁵ The jury found, however, that both Guy and his elder brother's son had always held their land from the prior of Barnwell and so it was Hawise who was amerced.³²⁶

Like those of Nicholaa de la Haye, Hawise de Quency's surviving charters provide a valuable insight into her religious interests and sense of identity. Hawise also fulfilled her spiritual responsibilities towards her late husband. After his death, Robert de Quency was buried outside the choir of the Hospitallers' house in Clerkenwell (London),³²⁷ and it was to this house that the newly widowed Hawise made a gift of five marks per annum for the foundation of a chantry *pro salute anime Roberti de*

³²³ *Rot. Hug. Welles*, III, 211; *Rot. Rob. Gross.*, 9 (x2), 17. Richard de Wassingburg's institution as parson to the church of Toynton All Saints was entered twice under 1236-1237 and 1237-1238. For the second occurrence, see *Rot. Rob. Gross.*, 23.

³²⁴ *CRR*, XVII, 150 no. 767.

³²⁵ *Ibid.*, XI, 144 no. 707, 315 no. 1578.

³²⁶ *Ibid.*, XI, 315 no. 1578.

³²⁷ *MA*, VI.i, 315-316 no. iii.

Quincy quondam mariti mei, in 1217-1219.³²⁸ This grant was very much a Quency family affair and was witnessed by Hawise's father-in-law, Saher IV de Quency, and his nephew, Roger of St. Andrews. Although Hawise played a leading role in mourning her late husband, a royal grant, dated 7 November 1217, directed that the prior and brothers of the Hospital of Jerusalem were to receive three pennies a day for the soul of King Henry III's father *and pro anima Roberti de Quency*.³²⁹ Robert's death was clearly lamented in royal circles; his commemoration is a very striking sign of royal favour.

After Hawise became countess of Lincoln, her oval seal, which portrayed a stag and bore the legend *SIGILLUM HAWISIE DE QUINSI COMITISSA LINCOLNIE*, continued to incorporate mascles into its design which were a Quency bearing.³³⁰ Even so, the profound effect that Ranulf III of Chester's death had on the widowed Hawise's position in society was reflected by a marked shift in the direction and nature of her religious benefactions. With the Lincolnshire lands and her elevation to the status of countess, came inherited rights of presentation and patronage, which offered her a useful means of buttressing her new position in the county. Her position as Ranulf III's successor was reinforced by the charters that she issued which confirmed his gifts to various religious houses. Walsingham Priory (Norfolk) and the canons of Holy Cross, Waltham (Essex), for example, both received charters of confirmation touching their rights to one spade digging turves in Northfen (Lincolnshire), and five spades digging in the marsh of Bolingbroke, respectively.³³¹ Similarly, when her tenant, Warin fitzGeoffrey, gave the Cistercian nuns of Greenfield (Lincolnshire) half an acre of land in Langton (Lincolnshire), Hawise confirmed his gift and stated that the nuns and their man, Gilbert le Tanur, should be free and quit from suit to her court of Greetham.³³²

Sally Thompson's study of English nunneries that were established after the Norman Conquest has shown that aristocratic widows were particularly important as both founders and benefactors of these institutions.³³³ Significantly, it is Hawise de Quency's relationship with Stixwould Priory, another Cistercian nunnery in Lincolnshire, which is the most revealing about her personal perception of her altered situation after 1232. Stixwould had been founded in c. 1139-1142 by Hawise's great-

³²⁸ PRO, DL36/3/50.

³²⁹ RLC, I, 342b.

³³⁰ Depicted in *The Topographer and Genealogist*, ed. J. G. Nichols (3 vols., London, 1846-1858), I, 320 no. iv.

³³¹ BL, Cotton. Nero MS. EVII, f. 129; PRO, DL36/2/39.

³³² *The Topographer and Genealogist*, I, 320 no. iv. The editor incorrectly identifies the nunnery as Greenfleet instead of Greenfield. For a grant by Ranulf III of Chester to Greenfield, see CEC, 410-411 no. 413.

³³³ Thompson, *Women Religious*, 167-175.

grandmother, Lucy, countess of Chester.³³⁴ When a cartulary was compiled for that house in the late thirteenth century, Countess Lucy's charter, informing her two sons of her gift to Stixwould nunnery of her land in Stixwould, Honington and Bassingthorpe (Lincolnshire), appeared on the recto of the first folio.³³⁵ It was followed on the verso by a charter issued by Hawise de Quency, countess of Lincoln.³³⁶ Deciding not to join her late husband near his final resting place at Clerkenwell, Hawise expressed her desire in this document to be buried at Stixwould, granting the nunnery *cum corpore meo ubi elegi locum sepulture* all her land in Hemingby, Goulceby and Asterby, and the homage and service of John of Asterby and John de Cantfled.³³⁷

Looking at Countess Lucy's family background, it is easy to appreciate why Hawise identified with this female ancestor in particular and became a generous patron of Stixwould. Lucy, like Hawise, had been both a widow and an important heiress. She was the heiress from whom Hawise ultimately derived her claim to the honour of Bolingbroke, as well as her right to preside over the elections of new prioresses of Stixwould. Although Lucy had no surviving issue by her first husband, Ivo de Taillebois (sheriff of Lincoln in c. 1086), she had a son by her second husband, Roger fitzGerold, and another son by her third husband, Earl Ranulf I of Chester. After the death of Roger fitzGerold's last direct descendant, William de Roumare, in c. 1198, Lucy's Lincolnshire lands reverted to the male line of her third son and came into the hands of Hawise's brother, Ranulf III of Chester.³³⁸ Through its connections with Countess Lucy, the nunnery of Stixwould seems to have both fostered and provided a focus for feelings of female solidarity for Hawise. Hawise's grant to Stixwould laid down that the convent was to celebrate both her mother's anniversary and her own but without any reference to her father or her deceased elder brother.³³⁹

III. Margaret de Lacy

Margaret de Lacy, daughter of Hawise and Robert de Quency, is the subject of my final case study in this chapter. The events surrounding her early years have already been discussed in case study II. Yet Margaret's subsequent life undoubtedly deserves closer attention alongside that of her mother. Although Margaret, like Hawise, did not hold government office, her adult life is important because it

³³⁴ *Ibid.*, 169.

³³⁵ BL, Add. MS. 46701, f. 1; CEC, 29-30 no. 19.

³³⁶ BL, Add. MS. 46701, f. 1v.

³³⁷ *Ibid.*, f. 1v.

³³⁸ See Hill, *Medieval Lincoln*, 93-95. For Lucy, see Johns, 'The Wives and Widows', 122-124.

³³⁹ BL, Add. MS. 46701, f. 1v. *Et sciendum quod conventus faciet diem anniversarium meum et matris mee. ab anno in anni (sic) in perpetuum.* Hawise's mother, Bertrada, had died in 1227. See Johns, 'The Wives and Widows', 127.

shows how it was possible for a noblewoman to exercise informal political influence through marriage, family relationships, and friendships formed with other aristocratic women.

We have already seen how Margaret and her mother acted as vehicles in the transmission of her maternal family's rights to a new dynasty through her first marriage to John de Lacy, constable of Chester. The mystery that surrounds her second and third marriages provides a useful instance of the problems of interpretation that can be posed by the evidence in this period. Margaret married Walter Marshal, earl of Pembroke, in 1242, less than two years after John's death. She is also often believed to have taken a third husband, Richard of Wiltshire, after Walter died in 1245. These unions reveal a great deal about the considerations that governed the formation of aristocratic marital alliances and affected a noblewoman's ability to choose or enjoy a long widowhood. Moreover, the manner in which the marriage of Margaret's son and heir, Edmund, to Eleanor of Provence's cousin, Alice of Saluzzo, in 1247 cemented Margaret's own friendship with King Henry III's queen, affords a window on to the factors that allowed a noblewoman to carve out a distinctive political role for herself in her widowhood.

Having inherited her mother's barony of Bolingbroke and been assigned at least two dowers, Margaret was probably one of the wealthiest women in England on her death in 1266. She also merits special consideration because it was probably for her benefit that Robert Grosseteste, bishop of Lincoln (1235-1253), put together a set of guidelines for running her estates. Grosseteste's *Rules* constitute the earliest surviving treatise on estate and household management that is known to have been compiled for a member of the laity, and its production in French, the language of the nobility, reflected the needs of this new readership.³⁴⁰ In being written for a woman, it affords a unique view of contemporary perceptions of the responsibilities of a female landowner and head of a noble household.

Margaret and her First Marriage

If the conclusions drawn from case study II are correct, Margaret was probably little more than twelve years old when she married John de Lacy in 1221, whereas he was seventeen years her senior and had already made a decisive mark on national politics.³⁴¹ In spite of his position as a leading tenant of that great loyalist earl, Ranulf III of Chester, John de Lacy sided with the rebel barons during the troubles of King John's reign. He was selected as one of the twenty-five lords who were

³⁴⁰ See 'The Rules of Robert Grosseteste', in *Walter of Henley and Other Treatises on Estate Management and Accounting*, ed. and trans. D. Oschinsky (Oxford, 1971), 388-407.

³⁴¹ John had come into possession of his father's inheritance in 1213 on attaining his majority. See Holt, *The Northerners*, 26, 176-177, 182, 189.

to oversee Magna Carta's enforcement in 1215 and was excommunicated by the pope for his pains.³⁴² Although John made peace with the king in early 1216, he rebelled again later that year.³⁴³ It was not until 1217 that he was finally pardoned by King Henry III's government,³⁴⁴ paving the way for him to accompany the earl of Chester on crusade in the summer of 1218³⁴⁵ and marry Ranulf's niece, Margaret, in 1221.³⁴⁶

Margaret was John's second wife; his first wife, Alice, daughter of Gilbert de L'Aigle, had died without any surviving issue.³⁴⁷ In the political climate of 1220-1221, it is easy to appreciate the appeal of marriage to Margaret from John's point of view. In addition to her material attractions as a potential heiress to the earldoms of Chester and Winchester, the forging of a family connection with Ranulf III, the lord from whom John held most of his lands, would have promoted his political interests by helping to repair the damage to his position caused by his rebellion. The advent of closer relations between the two men after 1217 was demonstrated by John's appearance as a witness to Ranulf's charters.³⁴⁸

It is undoubtedly significant that it was in the years after John's marriage to Margaret and following his and Ranulf's submission at the end of 1223³⁴⁹ that he became closer to royal government. In 1227, for example, John was dispatched to Antwerp on royal business and in 1230 he was assigned a role in the negotiations for peace between England and France.³⁵⁰ Perhaps it was John's performance during these years that persuaded Henry III to honour Hawise de Quency's request and confer the earldom of Lincoln on her son-in-law and daughter in the winter of 1232. The new earl of Lincoln certainly reaped a full range of benefits after his wife's uncle's death and secured a position at the heart of Henry III's government. The continued importance of Margaret de Lacy's family

³⁴² *Selected Letters of Pope Innocent III concerning England (1198-1216)*, ed. C. R. Cheney and W. H. Semple (London, 1953), 221-223; Holt, *The Northerners*, 109-111.

³⁴³ RLC, I, 245; RLP, 180b; RLC, I, 289; Holt, *The Northerners*, 1, 139.

³⁴⁴ RLC, I, 318.

³⁴⁵ *Ann. Mon.*, II, 289; *Ibid.*, III, 54.

³⁴⁶ *Ann. Cest.*, 50-51.

³⁴⁷ *The Coucher Book of the Cistercian Abbey of Kirkstall*, ed. W. T. Lancaster and W. P. Baildon (Thoresby Soc., VII, 1907), 242-243.

³⁴⁸ CEC, 290-291 no. 290, 374-375 no. 378, 377-378 no. 382, 384-385 no. 390, 387-388 no. 393, 396-398 no. 400, 398-399 no. 402.

³⁴⁹ Both men were dissidents in 1223, with much to lose from the resumption of royal castles and sheriffdoms that was heralded by Henry III's receipt of his seal. See Carpenter, *The Minority*, 320-333.

³⁵⁰ PR 1225-1232, 161-162; CR 1227-1231, 446.

connections for her husband's career was shown when her cousin, John the Scot, died in 1237, and John de Lacy was made custodian of the entire county of Chester and obtained a lease of the demesne for a year.³⁵¹ In the same year, he was named by Matthew Paris as one of the king's leading councillors³⁵² and John oversaw the marriage of Richard de Clare, earl of Gloucester, to his and Margaret's eldest daughter, Matilda, in 1238.³⁵³

While the narrative sources and government records are revealing about her husband's contribution to public life, and strongly suggest the importance of Margaret's kin in his advancement, they divulge very little about Margaret's role as John de Lacy's wife. Margaret's youth at the time of her marriage might have meant that she remained very much in John's shadow at the beginning. Nevertheless, her husband's frequent employment on royal business led to periods of separation from him, and might have allowed Margaret to make a more active contribution to the management of their estates in his absence.³⁵⁴ The earliest datable reference to Margaret, after her marriage, occurs in the *curia regis* roll for Hilary term 1226, recording her appointment of Hugh de Munhaut to act as her attorney in a case against Roger Martel.³⁵⁵ No reference was made to the involvement of Margaret's husband on this occasion, suggesting that he was busy elsewhere. Presumably it was into his wife's care that John de Lacy entrusted those royal wards, such as Nigel de Mowbray's heir, whose custody he purchased from the Crown.³⁵⁶ Margaret herself bore at least four children during their nineteen-year marriage: three daughters and a son, Edmund, who was named after an Anglo-Saxon saint, Edmund, a king of East Anglia killed by Danes in 869 and subsequently revered as a martyr.³⁵⁷ The choice of this particular name for John and Margaret's son was undoubtedly a reflection and reminder of their close association with Henry III's court; Henry III himself venerated another Anglo-Saxon king-saint, Edward the Confessor, who was often associated with Edmund of East Anglia as a royal patron of

³⁵¹ CPR 1232-1247, 195; Stewart-Brown, 'The End', 49-50.

³⁵² *Chronica Majora*, III, 412.

³⁵³ CPR 1232-1247, 199-200, 208.

³⁵⁴ Of course, we do not know how often Margaret accompanied John to the royal court. The frequency of John's absences is suggested by his regular appearance in the witness-lists of royal charters. Between November 1232 and his death in 1240, for example, he witnessed 107 royal charters. See PRO, C53/27-33.

³⁵⁵ CRR, XII, 348 no. 1701.

³⁵⁶ John de Lacy's fine for Nigel de Mowbray's heir is discussed in Vincent, *Peter des Roches*, 421-422. For the placing of wards in the households of noblewomen, see J. C. Ward, *English Noblewomen in the Later Middle Ages* (London, 1992), 96-97.

³⁵⁷ See D. Farmer, *Oxford Dictionary of Saints* (Oxford, third edition 1992, reprinted 1996), 147-148.

England.³⁵⁸ Moreover, Henry III and his wife, Eleanor of Provence, named their second son, Edmund, after this saint as well.³⁵⁹

Edmund de Lacy was just ten years old when his father died, following a long illness, on 22 July 1240.³⁶⁰ John de Lacy's death transformed his wife into an extremely eligible widow. When Margaret was formally assigned her dower third on 2 January 1241, she received demesne properties valued at £315 per annum from her late husband's estates.³⁶¹ Bearing in mind that Roger de Quency's annual income from his English demesne lands as earl of Winchester was about £534 per annum,³⁶² the figure for Margaret's dower was respectable for a widowed countess.³⁶³ Furthermore, her position as heiress to her mother's barony of Bolingbroke carried with it the promise of further riches.³⁶⁴

Margaret and her Second Marriage

Margaret's wealth helps to explain her attraction as a wife for her second husband, Walter Marshal, whom she married in January 1242.³⁶⁵ Even so, it should be remembered that although their marriage placed Walter legally in control of the Lacy dower during Margaret's lifetime, all his rights over that property would have ended had Margaret predeceased him. Walter's position with regard to his wife's inheritance looked slightly more promising. In spite of Edmund de Lacy's position as Margaret's heir, Walter stood to gain a life interest in his wife's inherited lands, according to the 'curtesy' of England if their union produced living offspring.³⁶⁶ True, Margaret was probably in her

³⁵⁸ For Edward the Confessor, see *Ibid.*, 149-151. For Henry III's veneration of Edward the Confessor, see P. Binski, *Westminster Abbey and the Plantagenets: Kingship and the Representation of Power 1200-1400* (London, 1995), ch. 2; D. A. Carpenter, 'The Burial of Henry III, the Regalia and Royal Ideology', in *The Reign of Henry III* (London, 1996), 440-459.

³⁵⁹ Howell, *Eleanor of Provence*, 44-45.

³⁶⁰ *Chronica Majora*, IV, 34.

³⁶¹ CR 1237-1242, 260-261. This is my calculation. The properties that Margaret received included lands in Sedgebrook, Ingoldmells, North Thoresby and East Halton in Lincolnshire. The settlement may have been modified at a later date. For these and other demesne properties in Lincolnshire that Margaret probably held in dower, see Appendix VIII.

³⁶² Simpson, *An Anglo-Scottish Baron*, 76-77.

³⁶³ Margaret could also expect to receive various occasional forms of income from the services of those forty knights' fees in Lincolnshire, Nottinghamshire, Yorkshire and Lancashire that she also received in dower. See CR 1237-1242, 261-263.

³⁶⁴ For the size and value of Margaret's inheritance, see pp. 85-89.

³⁶⁵ *Ann. Mon.*, I, 121.

³⁶⁶ See F. Pollock and F. W. Maitland, *The History of English Law before the Time of Edward I* (2 vols., Cambridge, second edition 1898, reprinted 1911), II, 416, 420 n.1.

early thirties in 1242 and no longer in the first flush of youth, but she was available and had proven herself fertile. This might have heartened Walter, who had not been married before and who urgently needed to produce an heir, following his succession to the earldom of Pembroke on the deaths of three older brothers without issue.³⁶⁷

It is possible that a certain amount of political advantage accrued to Walter through his marriage to Margaret. In the years before the marriage, his relationship with Henry III had been far from easy. When Walter's older brother, Gilbert, was fatally wounded in a tournament in June 1241 which the king had prohibited and in which Walter had also taken part, Henry III was so angry that he refused to invest Walter as Gilbert's heir with the earldom of Pembroke. It was not until October 1241 that the investiture took place and this owed much to Queen Eleanor's intercession.³⁶⁸ Perhaps Walter's union with Margaret de Lacy, who was after all the widow of one of the king's former close advisers, assisted his political rehabilitation.

It is hard to assess the advantages and disadvantages of the match from Margaret's point of view. We do not know whether the king played a leading role in arranging Margaret's remarriage or whether the couple themselves took the initiative and asked for his permission. Similarly, it is difficult to ascertain whether the union was entirely to Margaret's liking, although Magna Carta had at least laid down that a widow should not be forced to remarry against her will.³⁶⁹ Perhaps local ties underpinned this marriage: the Dorset manor of Sturminster Marshall, with which Earl William Marshal had previously endowed Walter,³⁷⁰ lay approximately four miles from Margaret's lands at Wimborne.

Margaret's decision to remarry might also have been influenced by her young children. Joel Rosenthal's work on noble widows in the fifteenth century has found that young widows with long futures ahead of them and children to raise were more likely to remarry than their older counterparts.³⁷¹ Admittedly, Margaret de Lacy's eldest daughter from her first marriage had already married Richard de Clare,³⁷² and her son, Edmund, and his lands had been placed in royal wardship

³⁶⁷ See G. H. Orpen, *Ireland under the Normans* (4 vols., Oxford, 1911-1920), III, 49-75.

³⁶⁸ *Chronica Majora*, IV, 158.

³⁶⁹ *Select Charters*, 294 (cap. 8).

³⁷⁰ Crouch, *William Marshal*, 131 n. 64; CR 1227-1231, 527.

³⁷¹ J. T. Rosenthal, 'Fifteenth-Century Widows and Widowhood: Bereavement, Reintegration, and Life Choices', in *Wife and Widow*, ed. Walker, 36-37.

³⁷² Matilda gave birth to her first child in September 1243. See M. Altschul, *A Baronial Family in Medieval England: the Clares, 1217-1314* (Baltimore, 1965), 34.

soon after his father's death.³⁷³ Nevertheless, Margaret and her second husband did retain custody of her two younger Lacy daughters until October 1243 when the king ordered that they should be sent to Windsor and raised with his own children.³⁷⁴ Perhaps Margaret's remarriage was partially intended to safeguard their interests.

The short duration of Margaret's second marriage means that it is again virtually impossible to find evidence of her personal responsibilities as a wife. All that can be said is that Walter Marshal assisted her in the pursuit of outstanding pieces of Lacy dower. In July 1242, for example, the king instructed both the archbishop of York and William de Cantilupe to see that Walter Marshal and his wife were placed in possession of all the lands pertaining to Margaret's dower if they did not enjoy seisin.³⁷⁵ As predicted, Hawise de Quency's death in 1243 brought the barony of Bolingbroke into Margaret and Walter's hands,³⁷⁶ but Margaret's second marriage failed to provide Walter with an heir before he died on 24 November 1245 at Goodrich Castle.³⁷⁷

Margaret and her Third Marriage

Her extensive property rights still made marriage to Margaret de Lacy an attractive proposition after Walter's death. Against the background of the problems of patronage that Henry III experienced in the late 1240s and 1250s, we might have expected her to be manipulated into a marriage with one of the king's foreign favourites. We can point to other wealthy widows who succumbed to this fate. Henry granted Geoffrey de Joinville the marriage of Matilda, widow of Peter of Geneva and heiress to the county of Meath in Ireland.³⁷⁸ Ebulo de Montibus married Joan de Somery, widow of the king's steward, Godfrey de Craucombe.³⁷⁹

Authorities such as G. E. Cokayne and I. J. Sanders have, however, commonly accepted that by the summer of 1252 Margaret de Lacy had married the mysterious Richard of Wiltshire as her third husband.³⁸⁰ This assumption is based on a single entry on the charter rolls, dated 7 June 1252,

³⁷³ CPR 1232-1247, 239.

³⁷⁴ CR 1242-1247, 54. The fact that Margaret's younger daughters were considered suitable companions for the royal children in another indication of Margaret's high status.

³⁷⁵ CR 1237-1242, 501.

³⁷⁶ CR 1242-1247, 89; ERF, I, 396.

³⁷⁷ *Chronica Majora*, IV, 491; *Ann. Camb.*, 86. The Welsh annals mistakenly refer to the year of Walter's death as 1246.

³⁷⁸ Howell, *Eleanor of Provence*, 52.

³⁷⁹ *Ibid.*, 52.

whereby the so-called 'couple' and their heirs were granted permission to hold a fair on the Dorset manor of Charborough.³⁸¹ There does not appear to be another piece of evidence for this marriage. Richard of Wiltshire can be identified with Richard le Marescall, the Englishman, who had been given the manor of Charborough by the king on 2 November 1251.³⁸² The sources' silence regarding Margaret's third marriage can only reasonably be explained by the fact that Richard of Wiltshire was very much Margaret's social inferior. An entry on the patent roll for September 1254 declared Richard exempt from appointment to the offices of sheriff, coroner, escheator, forester, regarder and agister;³⁸³ these were all offices for which a county knight, rather than a great baron, would have been liable. Perhaps Richard was a member of Margaret's estate and household administration whom she had come to hold in affection. Rowena Archer has found that marriages between widowed noblewomen and their officials were far from unusual in the later Middle Ages.³⁸⁴

There are, however, no indications that Richard of Wiltshire was employed in Margaret de Lacy's establishment. Moreover, the text of the charter of June 1252, the only source of information about Margaret's third marriage presents difficulties; it neither describes Margaret as Richard's wife nor Richard as Margaret's husband. In my opinion, Margaret did not enter into a third marriage. Margaret was probably included as a grantee in the charter of June 1252 because she now held the neighbouring manor of Sturminster Marshall as dower, and wanted to share the profits from the Charborough fair.

If this is so, Margaret de Lacy's continued state of widowhood after Walter Marshal's death should undoubtedly be seen within the context of the politics of Henry III's court. Margaret Howell's biography of Eleanor of Provence has allowed Henry III's queen to emerge as one of the most important figures in English political life during her husband's reign. Eleanor's arrival in England in 1236 had been accompanied by an influx of her Savoyard relations, for whom Eleanor emerged as an active figurehead. In connection with this, Howell has shown Eleanor's close involvement in arranging marriages between her young female relations and members of the English aristocracy. Unions such as these promoted Henry III's overseas interests and bound individual English magnates into closer relationships with the Crown.³⁸⁵ One of the earliest of these Anglo-Savoyard marriages, which took place in May 1247, was between Margaret de Lacy's son, Edmund, and the queen's

³⁸⁰ G. E. Cokayne, *The Complete Peerage of England*, ed. V. Gibbs and others (13 vols., 1912-1959), VII, 680; Sanders, *English Baronies*, 18.

³⁸¹ *CChR 1226-1257*, 393; PRO, C53/44, m. 10.

³⁸² *CChR 1226-1257*, 369.

³⁸³ *CPR 1247-1258*, 329.

³⁸⁴ Archer, "How ladies... who live on their manors", 169-170.

cousin, Alice, daughter of Marquess Manfred III of Saluzzo and granddaughter of Count Amadeus IV of Savoy.³⁸⁶

Seen in this setting, it can be argued quite convincingly that Margaret de Lacy's decision to remain a widow after Walter Marshal's death received support from the queen. In 1247, Eleanor of Provence's position at the head of the Savoyard faction came under pressure after the arrival of Henry III's Poitevin half-brothers, who quickly came into competition with the Savoyards over access to royal patronage.³⁸⁷ Margaret de Lacy's son's marriage meant that there was no immediate danger that his mother would be pulled into the rival faction, as she might well have been had she remarried.³⁸⁸ Margaret herself might have wished to remain single in order to protect Edmund's interests and because there was no one whom she particularly wished to marry.

Eleanor of Provence certainly kept a genial eye on Margaret's daughter-in-law. When a son was born to Alice and Edmund in January 1251, the queen ordered that Alice should have a suitable bed and a robe of silk or scarlet cloth for her churching.³⁸⁹ The value that the young couple attached to their royal connections was rendered explicit by their decision to name this son Henry, presumably after the king. Henry's birth also had important implications for his grandmother's position. By strengthening the male line of the Lacy succession, his arrival effectively secured the future of Margaret de Lacy's lands.

There is good reason to believe that Margaret de Lacy was a highly influential figure whose support the queen both valued and carefully fostered. A set of royal messenger accounts, which survive from 1252-1253, record no less than six royal messengers who visited Margaret de Lacy, countess of Lincoln, between August 1252 and January 1253.³⁹⁰ The royal jewel rolls for the same years provide additional evidence of Margaret's royal favour and reveal that the countess and her household had visited Windsor in September 1252. It was during this stay that Lady Hawise de Rie, one of Margaret's personal companions, received a brooch (*firmaculum*) worth 2s. 2d., while Amice, Margery, and Joan, the countess of Lincoln's attendants (*domicille Comitisse Lincolnie*), each received less valuable

³⁸⁵ Waugh, *The Lordship of England*, 190-191.

³⁸⁶ *Ibid.*, 190; Howell, *Eleanor of Provence*, 53; *Chronica Majora*, IV, 628.

³⁸⁷ Howell, *Eleanor of Provence*, 54-55.

³⁸⁸ Even if I am mistaken, and Margaret did marry for a third time and her new husband was a relative nonentity, then it is possible to argue that the queen's agreement was still crucial. The queen might also have supported Margaret's marriage to a person below her social station because it reduced the danger of her being pulled into the rival faction through marriage to a great baron.

³⁸⁹ CR 1247-1251, 405.

³⁹⁰ PRO, E101/308/1, mm. 1-2.

brooches.³⁹¹ During the traditional distribution of gifts on New Year's Day 1253, William Galaff', the countess's clerk, received a girdle (*zona*) worth 25*s.* 10*d.* from the queen, which was probably intended for his mistress.³⁹²

In the mutual nurturing of contacts between Eleanor of Provence, and Margaret de Lacy and her daughter-in-law, we may glimpse an example of female networking as an informal but none the less distinctive feminine avenue to power and influence. Then as now, women often formed close relationships with other women, through their shared biological and social experiences, and such female friendships assumed a political dimension when they involved aristocratic and royal ladies. Eleanor of Provence's gift to Alice de Lacy for her churching was a case in point, while a later gift of a brooch to Amice, Henry de Lacy's nurse, belongs in the special context of household management.³⁹³

Widowhood

Margaret de Lacy's political importance during her second widowhood was also demonstrated by her successful pursuit of her Marshal dower in the complicated circumstances created by Walter Marshal's death. His younger brother Anselm, who was also childless, should have succeeded to the earldom of Pembroke. Anselm's death, just eleven days after Walter's, however, left the Marshal lands to be divided equally among their five sisters.³⁹⁴ By the time that the final partition was made among the co-heirs in May 1247, only the eldest Marshal sister, Matilda, widow of Roger Bigod, earl of Norfolk, and William, earl Warenne, was still alive. The remaining four-fifths of the Marshal inheritance were to be divided among the descendants of Matilda's sisters, thereby creating a situation where there were initially thirteen separate co-heirs to the Marshal possessions.³⁹⁵ Furthermore, the survival of Eleanor, the widow of Earl William Marshal junior, and of Matilda de Bohun, the widow of Anselm Marshal, meant that there were two other women, in addition to Margaret de Lacy, with dower rights or expectations of dower rights in Marshal lands.³⁹⁶

³⁹¹ PRO, E101/349/12, m. 2. Hawise de Rie is mentioned in attendance on Margaret in a letter close of December 1245. See CR 1242-1247, 377.

³⁹² PRO, E101/349/13, m. 1.

³⁹³ CR 1247-1251, 405; PRO, E101/349/12, m. 1.

³⁹⁴ Orpen, *Ireland under the Normans*, III, 75.

³⁹⁵ See Appendix VII.

³⁹⁶ Orpen, *Ireland under the Normans*, III, 76-77.

Against this background, the valuable properties that Margaret de Lacy received as a temporary dower allocation on 26 December 1245, until a permanent settlement could be made from all of Walter Marshal's former lands in England, Wales and Ireland, are striking.³⁹⁷ The five English manors that Walter's widow was awarded represented the cream of her late husband's holdings, including not only Hamstead Marshall, the Marshal family's ancestral seat, but also Caversham, one of William Marshal's favourite residences.³⁹⁸ The precise details and value of Margaret's final dower allotment do not appear to survive but remarkably she does seem to have retained possession of these places as part of the English settlement.³⁹⁹

The financial details of the division of the Marshal inheritance in 1247 provide some useful figures for estimating the annual value of Margaret's dower.⁴⁰⁰ The Marshal lands in England and Wales were thought to be worth £1,333 per annum,⁴⁰¹ while the great fief of Leinster in Ireland was valued at £1,715 per annum.⁴⁰² If Margaret was dowered with a third of her late husband's lands, as we would have expected under the common law, these figures suggest that she was entitled to English and Welsh lands worth £444 per annum and Irish lands worth £572 per annum.

With so many Marshal co-heirs, the assignment of a third of each parcel to Walter's widow was a potentially serious cause of discontent, not to mention an administrative nightmare. It is therefore interesting to observe occasions when the Crown buttressed Margaret's rights to the detriment of her late husband's successors, providing more evidence of her influence at Court. In 1248, for example, Henry III's officials assigned Margaret her Irish third in bulk, namely the whole of the county of Kildare, the manor of Forth in the county of Carlow and lands elsewhere that were worth £62 17s. 4d. per annum.⁴⁰³ As a result, Sibyl Marshal's seven daughters, and Matilda, one of the daughters of

³⁹⁷ Margaret was awarded the manors of Inkberrow (Worcestershire), Hamstead Marshall (Berkshire), Caversham (Oxfordshire), Bosham (Sussex) and Sturminster Marshall (Dorset). See CR 1242-1247, 379.

³⁹⁸ Crouch, *William Marshal*, 10, 129-30, 193.

³⁹⁹ For Margaret in possession of Inkberrow, Caversham, Bosham and Hamstead Marshall, see CR 1247-1251, 7; PRO, E101/308/1, m. 2; PRO, E159/30, m. 24d; *Ann. Mon.*, II, 104, 373.

⁴⁰⁰ The details of the partition survive in an inspeximus of a roll from the reign of Henry III, which was recorded on the second part of the patent roll for 22 Edward III. See PRO, C66/225, m. 45.

⁴⁰¹ PRO, C66/225, m. 45. This is my calculation and does not include the properties that had been assigned as dower to Eleanor, widow of Earl William Marshal junior.

⁴⁰² PRO, C66/225, m. 45; *Chartularies of St. Mary's Abbey, Dublin: with the Register of its House at Dunbrody, and Annals of Ireland*, ed. J. T. Gilbert (2 vols., RS, 1884), II, 401-403. This is my calculation.

⁴⁰³ The Irish dower settlement was mentioned in a letter patent of 30 April 1249, which instructed the justiciar of Ireland to also grant Margaret seisin of the castles of Kildare and Carbury (in co. Kildare). See CPR 1247-1258, 41; Orpen, *Ireland under the Normans*, III, 77. The earliest reference to Margaret in physical possession of her Irish dower is in June 1248. See CR 1247-1251, 70-71. Margaret owed the king the services of thirty-three and a third knights (or £66 13s. 4d.) for the liberty of Kildare. See Orpen, *Ireland under the Normans*, III, 106-107.

Eva Marshal and the wife of Roger Mortimer, who had already been assigned these lands, complained to the king that they were left utterly destitute.⁴⁰⁴ The fact that their interests had been overlooked in Margaret de Lacy's favour indicates that Margaret wielded considerable political clout. Henry III responded to their predicament not by encroaching on Margaret's claims, but by instructing John fitzGeoffrey, the justiciar of Ireland, to see that Sibyl's daughters and Matilda were compensated with lands from the other Marshal heirs' shares.⁴⁰⁵

Admittedly, Margaret encountered numerous obstacles in collecting compensation for the delayed handover of her Irish dower. In 1259, for example, she was still waiting to receive fifty pounds in arrears from the £100 in damages that William de Valence was supposed to have paid her.⁴⁰⁶ Nevertheless, Margaret's pursuit of her rights during these years was highly impressive. Her experiences and fortunes compared favourably with those of the other two surviving Marshal widows. As Anselm Marshal had never formally succeeded to his elder brother's lands, his widow, Matilda de Bohun, was not entitled to a third of this great inheritance as her dower. Instead, she received a life interest in the old and new vill in co. Kilkenny.⁴⁰⁷ Eleanor, the widow of Earl William Marshal junior and sister of King Henry III, was theoretically entitled to a third of all the English, Welsh and Irish Marshal lands, like Margaret de Lacy. Yet even she did not ultimately fare as well as Margaret in the pursuit of her dower. Eleanor had received a third of her late husband's English lands in 1233.⁴⁰⁸ Shortly after she was granted these properties though, Eleanor had resigned all her dower claims in Wales and Ireland in return for an annual payment of just £400, which Henry III had negotiated with Earl William junior's successor, Richard.⁴⁰⁹ The calculations of the estimated value of Margaret de Lacy's dower suggest that Eleanor had lost out on a great deal. The assignment of Margaret's Marshal dower probably explains why Eleanor and her second husband, Simon de Montfort, questioned the fairness of the £400 fee. In 1247-1248, they brought an unsuccessful legal action whereby they argued that Eleanor should have received a third of all of Earl William Marshal junior's lands, including his Welsh properties, as her dower.⁴¹⁰

⁴⁰⁴ CR 1247-1251, 70-71.

⁴⁰⁵ *Ibid.*, 70-71. Similar orders were issued in April 1249, June 1250 and August 1250. The August order also referred to Eva, the second daughter of Eva Marshal and the wife of William de Cantilupe. See *Ibid.*, 156-157, 294, 366.

⁴⁰⁶ CR 1256-1259, 404.

⁴⁰⁷ *Cal. Docs. Ireland*, II, 16 nos. 109-110; CPR 1247-1258, 163; Orpen, *Ireland under the Normans*, III, 77.

⁴⁰⁸ Maddicott, *Simon de Montfort*, 50.

⁴⁰⁹ *Ibid.*, 50.

⁴¹⁰ *Ibid.*, 52.

By far the most telling piece of evidence for Margaret de Lacy's prominence during her second widowhood is the covenant that was drawn up in December 1256 to arrange Edmund de Lacy's son's marriage to another Margaret, the daughter and heiress of William Longespee, earl of Salisbury.⁴¹¹ By the terms of this document, Edmund de Lacy and William Longespee, appointed two teams of negotiators to arrange the match. Fulk Basset, bishop of London, Stephen Longespee, Philip Basset and John de Arundel were chosen to act on William's behalf, while Margaret de Lacy, Simon de Montfort, Hugh Dispenser and Walter de Ludham were selected to assist Edmund.⁴¹² Margaret's involvement in these negotiations in such company shows just what a capable and influential person she was. It was not unusual for widowed mothers, or sometimes grandmothers, to arrange marriages for children. Jennifer Ward has drawn attention to the part that Margaret's daughter, Matilda, countess of Gloucester, played in the arrangements for her daughter Rohese's union with Roger de Mowbray.⁴¹³ Even so, in Margaret de Lacy's case it is satisfying to have a formal acknowledgement of her contribution.

In the light of all this activity, it is also particularly interesting to note John Maddicott's observation that by the summer of 1256, the countess of Lincoln was 'the greatest defaulter' who had failed to pay her share of Eleanor de Montfort's £400 fee which was owing from her Marshal dower. Margaret de Lacy's total arrears, which had built up over seven years, stood at more than 1,000 marks.⁴¹⁴ The manner in which such a large debt had been allowed to accumulate surely provides additional proof of Margaret's political influence and enjoyment of royal favour. Henry III's leniency towards Margaret seems to have been an extension of the general tolerance of debts that he displayed towards his magnates.⁴¹⁵ After pressure was brought to bear on her in July and August 1256,⁴¹⁶ she agreed to pay £1,066.⁴¹⁷

⁴¹¹ See PRO, E326/194. It is summarized, but wrongly dated, in *A Descriptive Catalogue of Ancient Deeds in the Public Record Office* (6 vols., HMSO, 1890-1915), I, 234 no. B194.

⁴¹² PRO, E326/194. The Lacy/Longespee marriage is discussed by Waugh who mistakenly names the fourth member of Margaret's team as William not Walter de Ludham. See Waugh, *The Lordship of England*, 57-58. Philip Basset was married to William Longespee's aunt and Hugh Dispenser was married to Philip Basset's daughter, Aline.

⁴¹³ J. C. Ward, 'The English Noblewoman and Her Family in the Later Middle Ages', in *'The Fragility of Her Sex'? Medieval Irishwomen in their European Context*, ed. C. E. Meek and M. K. Simms (Dublin, 1996), 130.

⁴¹⁴ Maddicott, *Simon de Montfort*, 132; CR 1254-1256, 438.

⁴¹⁵ D. A. Carpenter, 'King, Magnates and Society: The Personal Rule of King Henry III, 1234-1258', *Speculum*, LX (1985), 52-57.

⁴¹⁶ CR 1254-1256, 340, 438; CPR 1247-1258, 493.

⁴¹⁷ Maddicott, *Simon de Montfort*, 132. According to the memoranda rolls, Margaret agreed to pay 1,600 marks (£1,066) to cover the entire Marshal arrears owing to Eleanor de Montfort from Michaelmas 1254 to Michaelmas 1256. By May 1257, Eleanor and Simon had received £1,066 *per manum comitis Lincolnie*. See PRO, E159/30, mm. 4d, 15.

It is arguable that the scale of Margaret de Lacy's debts to the Crown and her decision to discharge them in 1256, provided her with a valuable bargaining counter with which to promote her grandson's marriage. Taking into consideration the vast sum that Margaret agreed to pay off, this would not only have assisted her working relationship with Simon de Montfort, a fellow negotiator, but it would also have smoothed the way for Henry III's confirmation of her grandson's marriage on 23 December 1256.⁴¹⁸ When William Longespee died, shortly after his daughter's marriage was agreed upon, the king honoured his word by placing Margaret Longespee in her future father-in-law's custody.⁴¹⁹

The latter part of Margaret de Lacy's life provides further indications of her continued exploitation of her Court connections to look after her own and her family's interests. The premature death of Edmund de Lacy in 1258 left his infant son, Henry de Lacy, to succeed to the Lacy estates.⁴²⁰ By two royal orders, dated 4 and 18 August 1258, the custody of all of Edmund's lands was committed to Margaret de Lacy and Edmund's widow, Alice.⁴²¹ Already on 1 June 1258, Alice had secured the king's assurance that he would sell to her, before all others, the wardship of her late husband's lands on the condition that this matter would go before the king's council that was about to meet at Oxford.⁴²² No mention was made at this stage of Margaret's interest in the Lacy holdings. Yet the order of 4 August specifically referred to a covenant for the wardship that had been proposed between the king, on the one hand, and both Alice and Margaret, on the other.⁴²³ Perhaps Alice had started proceedings without Margaret's knowledge. Alternatively, Margaret might have been involved from the very beginning and her role left unrecorded. There are no signs of any animosity between Margaret and her daughter-in-law. The policy of co-operation was simply a continuation of the state of affairs that had existed during Edmund's lifetime and which was previously demonstrated by Margaret's involvement in the negotiations for Henry de Lacy's marriage. In 1251, Edmund de Lacy had secured a grant from the king for the holding of a weekly market and an annual fair on the manor of Rochdale, which his mother held from him in dower.⁴²⁴ A few years later, Edmund's exchange of the manor of Castle Donington (Leicestershire) with Margaret in return for the manor of Kneesall

⁴¹⁸ CPR 1247-1258, 534; Waugh, *The Lordship of England*, 200.

⁴¹⁹ CPR 1247-1258, 534; Waugh, *The Lordship of England*, 200.

⁴²⁰ As Edmund predeceased his mother, he was never formally invested as earl of Lincoln. Henry became the second earl on Margaret's death. See *MA*, V, 647 no. xii.

⁴²¹ CPR 1247-1258, 649; CR 1256-1259, 258.

⁴²² CPR 1247-1258, 632.

⁴²³ *Ibid.*, 649.

(Nottinghamshire)⁴²⁵ had facilitated another exchange of the manors of Kneesall, Elmsall (Yorkshire) and Wadenhoe (Northamptonshire) with Roger de Quency, in return for the Yorkshire manors of Kippax and Scholes.⁴²⁶

Although Margaret's final years (1258-1266) coincided with a period of baronial reform and rebellion, the direction of her personal allegiance and the impact that the civil war made on her life are difficult to trace. In spite of Margaret's dispute with Prince Edward over who should enjoy custody of the lands and castles which had formerly belonged to Maurice fitzGerold in Ireland,⁴²⁷ she maintained amicable relations with Henry III and Eleanor of Provence. According to the Tewkesbury annals, she was present at the dedication of Salisbury Cathedral, a ceremony attended by the king and queen.⁴²⁸ Once the fighting began, both Margaret and her daughter-in-law refused to tolerate rebellion by their tenants. A Yorkshire inquisition heard that when Sir Miles Basset went with horses and arms in open rebellion against the king, Margaret de Lacy seized all the land that he had held from her, worth nine marks, in East Haddlesey. When Sir Roger Poitevin participated in the sack of Towton, Alice de Lacy confiscated his land in Saxton.⁴²⁹

Nevertheless, it is hard to establish whether Margaret de Lacy's loyalties remained steadfast throughout the entire period or were swayed by her previous association with the Montforts. There are three puzzling entries on Eleanor de Montfort's household roll for 1265, which indicate that she was corresponding with Margaret. The first entry records a payment of 2*d.* *pro litteris... deferendis Comitissae Lincolniae* in early March 1265, the second entry records a payment of 6*d.* *pro litteris... deferendis Comitissis Lincolniae et Glovernie* on 30 April 1265 and another payment of 6*d.* to Bolettus (presumably a messenger) *eunti ad Comitissas Insulae et Lincolniae* on 30 May 1265.⁴³⁰ When this roll was edited in the early nineteenth century, it was thought that the countess of Lincoln to whom the roll

⁴²⁴ CChR 1226-1257, 362.

⁴²⁵ See PRO, DL25/2243.

⁴²⁶ Simpson, *An Anglo-Scottish Baron*, 73; *Sir Christopher Hatton's Book of Seals*, ed. L. C. Loyd and D. M. Stenton (Oxford, 1950), 288-289 no. 418.

⁴²⁷ CR 1256-1259, 287-289.

⁴²⁸ *Ann. Mon.*, I, 166.

⁴²⁹ CIM, I, 285-286 no. 938.

⁴³⁰ *Manners and Household Expenses of England in the Thirteenth and Fifteenth Centuries*, ed. T. H. Turner (Roxburghe Club, 1841), 8, 24, 33. The 'Countess of the Isle' was Isabella de Forz, countess of Devon and Aumale, and lady of the Isle of Wight. Her mother was the sister of Margaret de Lacy's son-in-law, Richard de Clare. Isabella was a widow, like Margaret, but one with baronial sympathies. She was, however, far from happy when Simon de Montfort sold the rights of her remarriage to his son, the younger Simon, in the summer of 1265 and she fled to Wales. See F. M. Powicke, *King Henry III and the Lord Edward: the Community of the Realm in the Thirteenth Century* (2 vols., Oxford, 1947), II, 707-708.

referred was the wife of the rebel Gilbert de Gant, who possessed a claim to the earldom.⁴³¹ In the light of Margaret's earlier dealings with the Montforts and the fact that Eleanor de Montfort was also corresponding with Margaret's daughter, the countess of Gloucester, at the same time, it seems likely that Margaret de Lacy was the countess of Lincoln who was mentioned here.⁴³² This impression is reinforced by the fact that Eleanor de Montfort also corresponded with the wife of Hugh Dispenser, another of Margaret's former co-negotiators for the 1256 Lacy/Longespee marriage.⁴³³ Moreover, the household roll reveals that Eleanor was in residence at Odiham during March and May 1265, which was situated approximately fifteen miles from Margaret de Lacy's residence at Caversham. This casts some serious doubt on the direction of Margaret de Lacy's loyalties in 1265.

Margaret and Estate Administration: I. Grosseteste's 'Rules'

It seems fitting to draw this study to a close with some observations on Margaret's role as the head of a noble household during her periods of widowhood. Although no accounts survive for Margaret de Lacy's household or estates, Robert Grosseteste's *Rules* offers an idealised picture of their management, beginning with a personal dedication *a la contesse de Nichole*, and seeking to instruct her *de garder e gouverner terres e hostel*.⁴³⁴ This treatise, compiled in French, was adapted from Grosseteste's Latin ordinances for his own episcopal household and estates.⁴³⁵ Its very existence stands as further testimony to Margaret's high status and Court connections.

It is now widely acknowledged that royal and aristocratic women fulfilled an important role as literary patrons in the central and later Middle Ages, commissioning saints' lives and other devotional books, and encouraging the growth of vernacular literature.⁴³⁶ Matthew Paris's *Life of Edmund of Abingdon* was dedicated to Margaret de Lacy's contemporary, Isabella, countess of Arundel, who inspired both

⁴³¹ *Manners and Household Expenses*, 8 n. 6.

⁴³² See *Ibid.*, 18, 24. Margaret's son-in-law, Richard de Clare, had died in 1262. See Altschul, *A Baronial Family*, 31.

⁴³³ *Manners and Household Expenses*, 65.

⁴³⁴ *Walter of Henley*, 388-389.

⁴³⁵ *Ibid.*, 9, 191-193. Fourteen copies of the *Rules* survive today, including two copies of Grosseteste's original ordinances for his own household. Of these, twelve copies were produced in the mid-thirteenth to early fourteenth centuries (including one Latin translation) and two in the fifteenth century (including one English translation). Not one of these editions can be shown to have belonged to Margaret de Lacy. For an account of the individual texts, see *Ibid.*, 11 no. 1, 12-13 nos. 5 and 7, 15 no. 11, 17-18 nos. 18 and 20, 20-21 nos. 28 and 30, 23-24 no. 40, 29-32 no. 44, 40-41 nos. 61 and 62, 43 no. 66, 47 no. 75.

⁴³⁶ See, for example, J. Wogan-Browne, 'Clerc u lai, muine u dame. Women and Anglo-Norman Hagiography in the Twelfth and Thirteenth Centuries', in *Women and Literature in Britain, 1150-1500*, ed. C. M. Meale (Cambridge, 1993), 61-85; Leyser, *Medieval Women*, ch. 12. See also p. 19 above.

the Latin and French versions that he produced.⁴³⁷ Howell has pointed out that the Rutland Psalter, which was produced in c. 1260 and has Edmund de Lacy's obit on the calendar, was in the Lacy family's possession from an early date and could well have been commissioned by them, perhaps even by Margaret.⁴³⁸ Even so, the production of a French treatise on estate and household management for the countess of Lincoln's benefit represented a new departure.⁴³⁹

The text of the *Rules* offers no clues as to whether it was compiled at Margaret's request. Perhaps Grosseteste's concern for Margaret's wellbeing stemmed in part from his position as her diocesan.⁴⁴⁰ It is difficult to trace a strong personal connection between the two. 123 of Grosseteste's letters survive but not one of these is addressed or refers to Margaret de Lacy, her mother, her son or Margaret's husbands. Just three of Grosseteste's surviving letters are addressed to women; one to his sister, one to Margaret's paternal grandmother, Margaret de Quency, and one to Eleanor of Provence.⁴⁴¹ Two of Grosseteste's letters were, however, addressed to Simon de Montfort⁴⁴² and other sources reveal that Simon's wife lent Grosseteste her cook's services.⁴⁴³ It is highly likely that Grosseteste moved in the same Court circles as Margaret de Lacy.

In the past, the production of Grosseteste's *Rules* has been dated to 1240-1242, coinciding with Margaret's first period of widowhood and her new responsibilities as a *femme sole* following John de Lacy's death.⁴⁴⁴ Margaret was certainly a widow when this text was written; a striking feature of the *Rules*, is that the advice it contains is not at all gender specific. The introductions to the first, third and fourth rules expressly state that they shall apply to a 'lord' (*seignur*) or 'lady' (*dame*), while the remainder of the text addresses the reader in the second person as 'you' (*ius*).⁴⁴⁵ Had Margaret been

⁴³⁷ Wogan-Browne, 78 n. 5, 80 n. 17.

⁴³⁸ Howell, *Eleanor of Provence*, 87.

⁴³⁹ But see Coss, *The Lady*, 71, for Denise de Montchesny's commission of a book to teach her children French for 'husbandry and management'.

⁴⁴⁰ See *Rot. Rob. Gross.*, 61, 111, 129.

⁴⁴¹ *Roberti Grosseteste Episcopi Quodam Lincolniensis Epistolae*, ed. H. Richards (RS, 1861), 43-45 no. viii, 33-38 no. v, 310-311 no. ciii.

⁴⁴² *Ibid.*, 141-143 no. xlviii, 243-244 no. lxxv.

⁴⁴³ M. W. Labarge, *A Baronial Household of the Thirteenth Century* (London, 1965), 118. Two of the Montfort's sons were educated in Grosseteste's household. See *Ibid.*, 46.

⁴⁴⁴ *Walter of Henley*, 196; F. S. Stephenson, *Robert Grosseteste Bishop of Lincoln: A Contribution to the Religious, Political and Intellectual History of the Thirteenth Century* (London, 1899), 230-231.

⁴⁴⁵ I shall treat the advice as though it were to apply directly to Margaret de Lacy.

married, we might have expected the wife's and the husband's separate roles to have been discussed, as they later were in Christine de Pisan's *The Treasure of the City of Ladies*.⁴⁴⁶

It is, however, possible to prove that Grosseteste's *Rules* was actually produced during Margaret's second period of widowhood, between Walter Marshal's death in 1245 and Grosseteste's own death in 1253. An important piece of internal evidence is provided by the twelfth rule, which advised the countess of Lincoln where she ought to make her purchases. Her wine, wax and wardrobe should be bought from Boston fair, when staying in Lindsey, Norfolk or the vale of Belvoir. When at Caversham and Southampton, she should buy at Winchester, and when in Somerset, at Bristol. Her robes should be obtained from St. Ives.⁴⁴⁷ Margaret de Lacy only acquired the manor of Caversham as part of her Marshal dower and enjoyed no territorial interest in this area prior to the Marshal marriage. Moreover, the destinations of those royal messengers who were sent to the countess in 1252-1253 closely correspond with the places where Grosseteste expected her to reside. In the autumn of 1252, messengers visited the countess on two separate occasions: the first visited her in Norfolk and the second travelled to see her in Lindsey. When another two men were dispatched in the winter of 1252-1253, the countess was staying at Caversham.⁴⁴⁸

The production of Robert Grosseteste's *Rules* was clearly intended to help the widowed countess of Lincoln deal with the situation after 1245 when she enjoyed independent control of both her mother's barony of Bolingbroke and her own dower lands. The treatise itself was divided into two user-friendly sections: the first (rules i-xii) concerned the daily management of an estate and the second (rules xiii-xxviii) dealt with the good governance of the household itself. It began with advice on how the countess might best gather detailed and reliable information about her estates by means of inquests.⁴⁴⁹ Once the inquests were held and their findings enrolled, Margaret was urged to exhort her chief steward (*graunt seneschal*) to look after her personal property and stock, and see that he sent the income from her various lands and rents directly to her person and her wardrobe. At the same time, the *Rules* reminded their reader that neither the steward nor his bailiffs should be permitted to harm any tenants, *riche u povere*.⁴⁵⁰

The *Rules* offered Margaret de Lacy particularly detailed guidelines on how she might be able to live on the produce of her demesne lands throughout the year. Rule iv, for example, suggested that the

⁴⁴⁶ Christine de Pisan: *The Treasure of the City of Ladies*, ed. and trans. S. Lawson (London, 1985), 128, 130-133.

⁴⁴⁷ *Walter of Henley*, 398-399 no. xii.

⁴⁴⁸ PRO, E101/308/1, mm. 1-2. The destinations of the other two messengers who were sent to Margaret in these accounts were not recorded.

⁴⁴⁹ *Walter of Henley*, 388-389 nos. i-ii.

total amount of corn grown each year should be estimated by threshing and measuring every twentieth sheaf that was brought into the countess's grange. Her household's consumption in bread and ale might then be based upon the amount left over, once deductions had been made for seed-corn and liveries of corn to servants, and any surplus sold. All the money collected from the corn, the rents, the manorial courts and the sale of livestock ought to provide sufficient funds for the countess's expenditure on her kitchen, her wines, her clothes, her servants' wages and improving her livestock.⁴⁵¹ To ease the burden of supporting her domestic establishment on her lands, Grosseteste even instructed Margaret to plan her household's itinerary for the coming year each Michaelmas, taking into consideration the seasonal produce available at each manor for her sustenance.⁴⁵²

The role that the bishop of Lincoln envisaged for Margaret de Lacy within the household was one that placed her firmly at the centre of all its activities; as in the realm of estate management, she was to be a supervisor par excellence. Rule xiv admonished her to remind all the members of her household, both high (*graunz*) and low (*petiz*), that they should carry out her orders without any delay, obstruction or complaint.⁴⁵³ Grosseteste sought to impress upon Margaret the need for loyal, honest, obedient and hardworking servants, regulated by means of careful inquiries into the standard of their service.⁴⁵⁴ All visitors, both lay and religious alike, were to be received by porters, ushers and marshals, and treated with courtesy by all her officials for the duration of their stay.⁴⁵⁵

The countess of Lincoln's position as the head of her household was to be recognised and upheld by her insistence that her knights (*chivalers*) and gentlemen (*gentis hommes*) should wear her livery (*vos robes*) and not disgrace her with shabby and soiled attire.⁴⁵⁶ Grosseteste instructed her to spend each meal-time in the dining hall, seated in middle of the high table, so that she could see everything that was happening (and so that her presence as lady would be obvious to all her servants, and no doubt, to any visitors whom she wished to impress).⁴⁵⁷ Rule xxiv offered advice on by whom the food should be served, while rule xxv urged Margaret to follow the example of the bishop of Lincoln's establishment and provide two dishes which were *gros e pleners* ('large and full') at dinner (the main

⁴⁵⁰ *Ibid.*, 390-391 no. iii.

⁴⁵¹ *Ibid.*, 390-393 no. iv.

⁴⁵² *Ibid.*, 396-399 no. x.

⁴⁵³ *Ibid.*, 398-399 no. xiv.

⁴⁵⁴ *Ibid.*, 400-401 nos. xv-xviii, 402-403 no. xxiii.

⁴⁵⁵ *Ibid.*, 400-403 no. xx.

⁴⁵⁶ *Ibid.*, 402-403 no. xxi.

total amount of corn grown each year should be estimated by threshing and measuring every twentieth sheaf that was brought into the countess's grange. Her household's consumption in bread and ale might then be based upon the amount left over, once deductions had been made for seed-corn and liveries of corn to servants, and any surplus sold. All the money collected from the corn, the rents, the manorial courts and the sale of livestock ought to provide sufficient funds for the countess's expenditure on her kitchen, her wines, her clothes, her servants' wages and improving her livestock.⁴⁵¹ To ease the burden of supporting her domestic establishment on her lands, Grosseteste even instructed Margaret to plan her household's itinerary for the coming year each Michaelmas, taking into consideration the seasonal produce available at each manor for her sustenance.⁴⁵²

The role that the bishop of Lincoln envisaged for Margaret de Lacy within the household was one that placed her firmly at the centre of all its activities; as in the realm of estate management, she was to be a supervisor par excellence. Rule xiv admonished her to remind all the members of her household, both high (*graunz*) and low (*petiz*), that they should carry out her orders without any delay, obstruction or complaint.⁴⁵³ Grosseteste sought to impress upon Margaret the need for loyal, honest, obedient and hardworking servants, regulated by means of careful inquiries into the standard of their service.⁴⁵⁴ All visitors, both lay and religious alike, were to be received by porters, ushers and marshals, and treated with courtesy by all her officials for the duration of their stay.⁴⁵⁵

The countess of Lincoln's position as the head of her household was to be recognised and upheld by her insistence that her knights (*chivalers*) and gentlemen (*gentis hommes*) should wear her livery (*vos robes*) and not disgrace her with shabby and soiled attire.⁴⁵⁶ Grosseteste instructed her to spend each meal-time in the dining hall, seated in middle of the high table, so that she could see everything that was happening (and so that her presence as lady would be obvious to all her servants, and no doubt, to any visitors whom she wished to impress).⁴⁵⁷ Rule xxiv offered advice on by whom the food should be served, while rule xxv urged Margaret to follow the example of the bishop of Lincoln's establishment and provide two dishes which were *gros e pleners* ('large and full') at dinner (the main

⁴⁵⁰ *Ibid.*, 390-391 no. iii.

⁴⁵¹ *Ibid.*, 390-393 no. iv.

⁴⁵² *Ibid.*, 396-399 no. x.

⁴⁵³ *Ibid.*, 398-399 no. xiv.

⁴⁵⁴ *Ibid.*, 400-401 nos. xv-xviii, 402-403 no. xxiii.

⁴⁵⁵ *Ibid.*, 400-403 no. xx.

⁴⁵⁶ *Ibid.*, 402-403 no. xxi.

meal of the day), accompanied by *deus entremes* ('two light courses').⁴⁵⁸ In short, Grosseteste's *Rules* left no area of estate or household administration untouched.

Margaret and Estate Administration: II. The Charter Evidence

It is hard to tell whether Margaret de Lacy and her officials heeded the bishop of Lincoln's advice. Just two charters that were issued by Margaret have survived in the duchy of Lancaster archive and both of these record small grants of property to men whom she identified as having been in her employment. Laurence, her carter, and Emma, his wife, received three-quarters of a bovaté of land and a toft in the vill of Bolingbroke,⁴⁵⁹ and William Wyting, her baker, received half a bovaté of land with a croft and toft in the same place.⁴⁶⁰ As in Hawise de Quency's case, more about Margaret's actual estate administration can be gleaned from the forty-five deeds in which she is named as a grantee or a party to an agreement.⁴⁶¹ The information provided by these documents relates entirely to Margaret's English estates and not her Welsh or Irish Marshal properties. There is no firm evidence that she ever personally visited her Irish estates, although John fitzGeoffrey, the justiciar of Ireland, witnessed Edmund de Lacy's charter which recorded his exchange of Castle Donington for Kneesall with his mother.⁴⁶² Instead, a string of English representatives, presumably appointed by Margaret, such as Geoffrey of Appleby, William de Ablynton and Henry de Becco, managed her affairs in Ireland.⁴⁶³

By 1245, Margaret de Lacy controlled extensive English demesne lands.⁴⁶⁴ As well as her life interest in those manors assigned to her as dower from John de Lacy's and Walter Marshal's lands, she enjoyed possession of a number holdings that she had inherited from her mother and (via the settlement of 1230) from her father. When an extent was made of all the manors held by Margaret's grandson as a tenant-in-chief on his death in 1311, the castle, vill and soke of Bolingbroke was worth

⁴⁵⁷ *Ibid.*, 402-403 no. xxii, 404-407 no. xxvi. Rule xxviii decreed that dinners and suppers held outside the hall should be prohibited *kar de co surd mut de wast e nul honour a seyngnur ne a dame* ('because much waste results from this and no honour to lord or lady'). See *Ibid.*, 406-407 no. xxviii.

⁴⁵⁸ *Ibid.*, 402-405 nos. xxiv-xxv.

⁴⁵⁹ PRO, DL42/2, f. 241v.

⁴⁶⁰ PRO, DL27/32.

⁴⁶¹ Unfortunately, the small number of extant charters that were issued by Margaret herself prevents a reconstruction of her affinity.

⁴⁶² PRO, DL25/2243.

⁴⁶³ CPR 1247-1258, 96, 616; CR 1256-1259, 371, 382.

⁴⁶⁴ For Margaret's Lincolnshire lands, see Appendix VIII.

£209 per annum, together with a cowshed (*vacaria*) and meadow called *Hydyk*.⁴⁶⁵ According to the same extent, the manor of Greetham, which Margaret also inherited from Hawise, was worth £22 per annum in 1311.⁴⁶⁶ In addition to these lands, Margaret held three knights' fees in Holton le Clay, Humberston and Tetney,⁴⁶⁷ two knights' fees in Killingholme and Habrough,⁴⁶⁸ two knights' fees in Cabourne and Cuxwold,⁴⁶⁹ and the vill of Scartho.⁴⁷⁰ In Wrangle and Leake, Margaret de Lacy also held three quarters of a knight's fee⁴⁷¹ and eighteen bovates of land.⁴⁷² Presumably the ten pounds' worth of land in Sibsey, which Earl Ranulf III of Chester had given to Robert de Quincy on his and Hawise's marriage descended to Margaret as well.⁴⁷³ Because she was barred from succeeding to all her paternal grandfather's and grandmother's estates, Margaret de Lacy's landed inheritance from her father was less extensive. By the final concord of 1230, Margaret and her first husband had agreed to be content with the manors of Long Buckby, Grantchester, Eynesbury Hardwick, Bradenham, Kingston Lacy, and lands in Wimborne, Blandford and Wimborneholt.⁴⁷⁴

An analysis of the places in which Margaret de Lacy gathered new rights and property confirms the shift in her mother's interest away from the Quency lands towards the Lincolnshire properties. Like Hawise, Margaret also focused a good deal of attention on Wrangle; twenty-five documents detail acquisitions in this area.⁴⁷⁵ Of the remaining deeds in which Margaret de Lacy appears, fourteen

⁴⁶⁵ PRO, C134/22/27.

⁴⁶⁶ PRO, C134/22/27. The extent also listed a tenement in *Staynworth* which was formerly part of the manor of Greetham and worth 25s. 10d.

⁴⁶⁷ BF, II (1242-1243), 1021. Hawise's death during the 1242-1243 assessment meant that her daughter's second husband, Walter Marshal, often appeared holding his wife's inheritance.

⁴⁶⁸ *Ibid.*, II (1242-1243), 1015.

⁴⁶⁹ *Ibid.*, II (1242-1243), 1022.

⁴⁷⁰ *Ibid.*, II (1242-1243), 1020. Scartho was held by socage tenure.

⁴⁷¹ *Ibid.*, II (1242-1243), 1009.

⁴⁷² *Ibid.*, II (1242-1243), 1010.

⁴⁷³ CEC, 305-306 no. 308.

⁴⁷⁴ PRO, DL25/2336. Eynesbury Hardwick came into Roger de Quency's hands before Hawise's death. In 1242-1243, Walter Marshal (and his wife) paid scutage for one knight's fee in East Bradenham, three parts (*tres partes*) of a knight's fee in Grantchester and one knight's fee in Long Buckby. See BF, II, 904, 922, 939. In 1311, the manor of Kingston Lacy was worth £63, Grantchester £14, and Long Buckby £84. See PRO, C134/22/27.

⁴⁷⁵ PRO, DL25/52; DL25/53; DL25/2411; DL25/2413; DL25/2426; DL25/2438; DL25/2444; DL25/2446; DL25/2447; DL25/2448; DL25/2474; DL25/2476; DL25/2480; DL25/2482; DL36/2/230; DL36/2/231; DL36/2/232; DL36/2/235; DL36/2/239; DL36/2/261; DL36/3/92; DL36/3/136; DL36/3/177; DL36/3/212; DL42/2 f. 259. See Appendix VIII.

involved the acquisition or consolidation of property in Lincolnshire: three related to Hundleby,⁴⁷⁶ three Bolingbroke,⁴⁷⁷ two East Halton,⁴⁷⁸ two Thorley,⁴⁷⁹ one Greetham,⁴⁸⁰ one Irby and Wainfleet,⁴⁸¹ one Skegness,⁴⁸² and one Little Limber.⁴⁸³ A further three pertained to East Bradenham,⁴⁸⁴ one Grantchester,⁴⁸⁵ one Kingston Lacy,⁴⁸⁶ one Little Hey (Cambridgeshire),⁴⁸⁷ one Castle Donington,⁴⁸⁸ and one Blackburnshire.⁴⁸⁹ The geographical pattern of the lands and rights that Margaret acquired indicates a deliberate policy of adding to and extending her existing demesne properties, with a special emphasis being placed on those areas where she already possessed an inherited, rather than a dower, interest.

Margaret de Lacy followed her mother's approach to consolidating her rights. Like Hawise, she was careful to establish a steadfast title to any property that she obtained. The grant by Sarah, widow of Gilbert de Thudeham, to Margaret of her tenement in East Bradenham, together with the homage and service for a messuage formerly held by Gilbert de Selford,⁴⁹⁰ was accompanied by the resignation of Walter of Bradenham and Thomas fitzWilliam de Hemmegrave, of all their rights in the property which they held from Sarah.⁴⁹¹ Occasionally, there is direct evidence that Margaret completed her mother's unfinished business. Elizabeth, widow of Gilbert fitzOsbert of Greetham, for example, transferred to Margaret all her dower-right in the land that her late husband had granted

⁴⁷⁶ PRO, DL25/2358; DL25/2361; DL25/2385.

⁴⁷⁷ PRO, DL25/52; DL25/53; DL42/2 f. 240. DL25/52 and DL25/53 involve rights in both Wrangle and Bolingbroke and have been counted twice under Wrangle and Bolingbroke.

⁴⁷⁸ PRO, DL25/2506; DL25/3082.

⁴⁷⁹ PRO, DL36/2/16; DL36/3/117.

⁴⁸⁰ PRO, DL25/2383.

⁴⁸¹ PRO, DL25/2493.

⁴⁸² PRO, DL36/3/182.

⁴⁸³ PRO, DL25/2239.

⁴⁸⁴ PRO, DL25/3389; DL36/3/103; DL36/3/163.

⁴⁸⁵ PRO, DL36/2/224.

⁴⁸⁶ PRO, DL42/2, f. 206.

⁴⁸⁷ PRO, DL25/2442.

⁴⁸⁸ PRO, DL25/2243.

⁴⁸⁹ PRO, DL36/3/14.

⁴⁹⁰ PRO, DL25/3389.

⁴⁹¹ PRO, DL36/3/103; DL36/3/163.

Hawise de Quency.⁴⁹² Margaret, like Hawise de Quency, clearly appreciated that financial benefits could derive from securing custody of a knightly tenant's heir and/or his estates when he died, leaving a minor to succeed him. A fine roll entry of 1254, for example, reveals that she enjoyed the guardianship of Lucy and Euphemia, the underage heiresses of Godfrey de Gamagis, before the custody of their land and persons was purchased by Henry de Penebruge for 100 marks from the king.⁴⁹³

Admittedly, there are certain problems in interpreting the forty-five documents. It is difficult to compare the scale of Margaret's acquisitiveness with that of Hawise because precise values and extents are not always given. Nevertheless, they give the distinct impression that the Margaret, like Hawise, dealt with people from the knightly class and below.⁴⁹⁴ Sarah de Thudeham, for example, was referred as Lady Sarah de Thudeham in Walter of Bradenham's charter⁴⁹⁵ and Walter's own knightly status was revealed when he witnessed Thomas fitzWilliam de Hemmegrave's quitclaim.⁴⁹⁶ Geoffrey de Beningwurd', who quitclaimed to Margaret de Lacy all the land in Thorley, which his father, William, had held from Geoffrey of Thorley, was of a similar social status.⁴⁹⁷ He is undoubtedly the same Geoffrey de Beningwurd' who held Little Grimsby, Salmonby, Scrafield and four bovates of land in Hameringham from the honour of Bolingbroke.⁴⁹⁸ His father was listed as one of Hawise's knightly tenants in 1233,⁴⁹⁹ and witnessed Hawise's grant to the canons of Waltham Holy Cross.⁵⁰⁰ In 1235-1236, Geoffrey's father had even been entrusted with the task of making Hawise's payment to the exchequer for the general aid being raised by the king.⁵⁰¹ This tradition of Beningwurd' service to the countesses of Lincoln continued under Geoffrey who witnessed the abbot

⁴⁹² PRO, DL25/2383. For Gilbert's grant to Hawise, see PRO, DL25/51.

⁴⁹³ *ERF*, II, 186.

⁴⁹⁴ Margaret also engaged in property transactions with religious houses, such as Kirkstall Abbey (Yorkshire), Waltham Holy Cross (Essex), Fineshade Priory (Northamptonshire) and Dereham Abbey (Norfolk), in her quest to consolidate her demesne properties. See PRO, DL36/3/14; DL36/3/212; DL36/3/136; DL25/52-53.

⁴⁹⁵ PRO, DL36/3/103.

⁴⁹⁶ PRO, DL36/3/163.

⁴⁹⁷ PRO, DL36/3/117.

⁴⁹⁸ *BF*, II (1242-1243), 1023, 1063, 1088.

⁴⁹⁹ *CR 1231-1234*, 263.

⁵⁰⁰ PRO, DL36/2/39.

⁵⁰¹ *BF*, I (1235-1236), 547.

and convent of Dereham's quitclaim to Margaret of all their right in four spades digging in the marsh of Bolingbroke.⁵⁰²

Margaret and Estate Administration: III. Ecclesiastical Interests

Like her mother, Margaret enjoyed extensive rights as a religious patron and vigorously exercised her rights of presentation to ecclesiastical benefices. In 1241-1242, she presented Peter, the chaplain, as rector of the church of Thoresby.⁵⁰³ In 1258-1259, she presented Anthony, the chaplain, to the church of Little Steeping⁵⁰⁴ and William of Caversham to the chapel at Caversham.⁵⁰⁵ In 1263-1264, she presented Henry of Wimborne, the subdeacon, to the church of Toynton Superior,⁵⁰⁶ and in 1265-1266, Adam le Vavasur to the church of North Coates.⁵⁰⁷ Several heads of Lincolnshire religious houses also obtained her permission for their election, notably Geoffrey the cellarer of Humberston before he became abbot of that house,⁵⁰⁸ and Lucy of Pinchbeck and Isabella de Lavyngham, both nuns of Sixwold, who became prioresses.⁵⁰⁹ Yet not all presentations went smoothly. In 1248-1249, Stephen, the new prior of Minton was presented by the abbot of Fleury to the derogation of Margaret's claims as patron.⁵¹⁰ Nevertheless, a compromise was reached, whereby Margaret presided over the appointment of Robert, a monk from Fleury, as Stephen's successor.⁵¹¹

The bishops' registers in which Margaret's rights of presentation were recorded reveal very little about Margaret's personal spirituality and the role of family relationships in determining the direction of her religious benefactions. The oval seal which Margaret used as countess of Lincoln and dowager countess of Pembroke is attached to the grant that she made to William Wyting, her baker, and shows a woman wearing a flat headdress, standing under an arch, with a shield on each side of her.⁵¹²

⁵⁰² PRO, DL25/52.

⁵⁰³ *Rot. Rob. Gross.*, 61.

⁵⁰⁴ *Rot. Ric. Grave.*, 1.

⁵⁰⁵ *Ibid.*, 213.

⁵⁰⁶ *Ibid.*, 15.

⁵⁰⁷ *Ibid.*, 21.

⁵⁰⁸ *Ibid.*, 9.

⁵⁰⁹ *Rot. Rob. Gross.*, 111; *Rot. Ric. Grave.*, 19. Lucy was appointed prioress in 1248-1249. On Isabella de Lavyngham's election in 1265, her predecessor as prioress was named as Isabella de Brus, suggesting that Margaret de Lacy might have been involved in the election of three prioresses of this house. For a list of the prioresses of Sixwold, see Thompson, *Women Religious*, 254.

⁵¹⁰ *Rot. Rob. Gross.*, 111.

⁵¹¹ *Ibid.*, 129.

Unfortunately the coats of arms on both shields are damaged, but the one on her left probably once displayed a lion rampant for the earldom of Lincoln, and the one on her right probably displayed the arms of her first husband, John de Lacy.⁵¹³

A further insight into the family connections that Margaret de Lacy wished to celebrate is provided by the rather slender body of evidence for her association with different religious houses and her choice of burial place. What is particularly striking about Margaret's role as a religious benefactor is that she was not a generous patron of the Lacy foundation of Stanlaw (Cheshire) where both her first husband and her son, Edmund, were laid to rest.⁵¹⁴ This is surprising in view of her co-operative relationship with her son during his life. There is just an agreement (*conventio*) between Margaret and this house, made in 1250, which records Margaret's grant of a toft upon which the abbot and convent might construct a grange for collecting corn, and expresses no concern for the welfare of John de Lacy's soul.⁵¹⁵ Margaret de Lacy also appears to have shown absolutely no interest in patronising the monastery of St. John at Pontefract, another house connected with John and Edmund.⁵¹⁶

There does not appear to be any surviving evidence that Margaret de Lacy's religious patronage followed her second husband's lead. She was not, for example, buried with Walter Marshal at Tintern Abbey.⁵¹⁷ As the heiress to the barony of Bolingbroke, however, Margaret was aware of her responsibility to commemorate her mother's attachment to Stixwold Priory by issuing a charter, which confirmed Hawise de Quency's gift and the gifts of various tenants to this nunnery.⁵¹⁸ Yet Margaret did not leave instructions for her burial there alongside her mother. After Margaret de Lacy, countess of Lincoln and dowager countess of Pembroke, finally passed away in March 1266 at Hampstead Marshall,⁵¹⁹ a monk at the Lacy foundation of Norton Priory (Cheshire) recorded that she

⁵¹²PRO, DL27/32. The legend is lost.

⁵¹³ See J. G. Nichols, 'The Descent of the Earldom of Lincoln, with Notices of the Seals of the Earls', in *Memoirs Illustrative of the History and Antiquities of the City of Lincoln* (London, 1850), 273.

⁵¹⁴ *MA*, V, 647 no. xii; *The Coucher Book or Chartulary of Whalley Abbey*, ed. W. A. Hulton (4 vols., Chetham Soc., X, XI, XVI, XX, 1847-1849), I, 33 no. xxxiv, 77 no. vi. For two epitaphs composed in John's honour and another for Edmund, see *MA*, V, 648 nos. xiv, xv, xvi.

⁵¹⁵ *Chartulary of Whalley Abbey*, I, 131 no. lxvi.

⁵¹⁶ For donations by John and Edmund to this institution, see *The Chartulary of St. John of Pontefract*, ed. R. Holmes (2 vols., Yorks. Archaeological Soc. Record Ser., XXV, XXX, 1899, 1902), I, 36-42, nos. xxi-xxvi, 43-45 nos. xxix-xxx, 146 no. c.

⁵¹⁷ For Walter's place of burial, see *Ann. Camb.*, 86; *Chartularies of St. Mary's Abbey*, II, 143.

⁵¹⁸ BL, Add. MS. 46701, ff.1v-2.

⁵¹⁹ *Ann. Mon.*, II, 104, 373, IV, 456. She died between 3 March 1266 and 30 March 1266. See *CPR 1258-1266*, 564, 574.

was buried in London, in a final expression of loyalty to and identification with her father's memory, *extra chorum hospitalariorum de Clerckennell, juxta Robertum patrem suum*.⁵²⁰

Conclusion

The lives of Nicholaa de la Haye, Hawise de Quency and Margaret de Lacy strongly suggest that it was possible for noblewomen to play an active role in political life through the personal exploitation of their landed wealth and social status. Admittedly, there were periods during the early lives of all three women when they appear to have been little more than pawns in the hands of their male relations. Yet the responsibilities that these ladies assumed as widows, especially as landholders, can largely be explained by their close participation in estate management and in promoting family affairs during their husbands' lifetimes. This is particularly clear in Nicholaa's case from her involvement in the siege of Lincoln in 1191 and from the high proffers that were imposed on both Nicholaa and her second husband on King Richard's return to England.

The female life-cycle, political climate and their family connections all worked to transform Nicholaa, Hawise and Margaret into important figures when they were widowed. The personalities of these women were also influential in determining the course of their widowhoods. Although King John was in desperate difficulties when he appointed Nicholaa de la Haye to the shrievalty of Lincoln in 1216, it is unlikely that he would have considered appointing her to public office in the first place if she had not already proven herself to be an energetic and talented administrator. A less forceful person than Nicholaa would have found it difficult to survive her later struggle with the earl of Salisbury. Ranulf III of Chester's decision to involve Hawise de Quency in the earldom of Lincoln's transfer was heavily influenced by his desire to elevate his son-in-law, John de Lacy, but something of Hawise's own strength of character is implied by the fact that she retained control of her share of the Chester inheritance for the remainder of her life. Edmund de Lacy's marriage into the house of Savoy undoubtedly helped to transform his mother, Margaret, into an important political figure during her second widowhood, but Margaret's own emergence as an active and willing player in Eleanor of Provence's party owed much to her own efforts as well. Nevertheless, even when they were widows who were freed from their husbands' authority, family relationships with men were still of significance in shaping Nicholaa's, Hawise's and Margaret's experiences.

⁵²⁰ *MA*, VI, 316 no. iii.

Chapter 2: Gentlewomen

In 1166, the Assize of Clarendon recognised the existence of a distinct social category between the barons and the lesser free men: the knights.¹ Where as earlier in England and Normandy, the term 'knight' (*miles*), designating a mounted warrior, had been applied to both wealthy nobles and poor non-nobles, by the late twelfth and early thirteenth centuries it had acquired an added social significance and become a mark of aristocratic status. While the poorer knights were squeezed out, the local landed knights without enough property to be counted as barons by tenure, but with sufficient authority to represent Angevin local government in its dealings with other free tenants, emerged as a class in their own right.² Having examined the role of noblewomen in thirteenth-century Lincolnshire, I shall now make a similar study of the women whose families belonged to this modified knightly class, comparing their rights and roles in society with that of higher ranking ladies.

The use of titles by the nobility and the knightly class raises the question of whether the balance of power in relationships between the sexes was affected by differences in social status. At first sight, the use of gender-specific titles suggests that a greater degree of sexual inequality existed between knights and their wives than between noblemen and noblewomen. In thirteenth-century England, a woman of the high aristocracy could hold an earldom and enjoy the title of countess (*comitissa*), a feminised version of the title of count (*comes*).³ Yet when the term 'knight' (*miles*) became more socially exclusive, whilst retaining its masculine military associations, no equivalent female form was introduced.⁴ This seems to indicate that gentlewomen were more likely than noblewomen to be identified in relation to their kinsmen and their kinsmen's status, thereby losing a degree of that separateness of identity that their social superiors enjoyed. It would be a mistake, however, to read too much into this. After all, the masculine title of lord (*dominus*), that was used from the late twelfth century onward in charter witness-lists to refer only to knights and men of higher social rank, had its female counterpart in lady (*domina*), which also came to represent noble status.⁵

¹ D. Crouch, *The Image of Aristocracy in Britain, 1000-1300* (London, 1992), 141.

² For this 'transformation of knighthood' and its causes, see *Ibid.*, 132-148; P. Coss, *The Knight in Medieval England 1000-1400* (Stroud, 1993), 30-71; K. Faulkner, 'The Transformation of Knighthood in Early Thirteenth-Century England', *E HR*, CXI (1996), 1-23.

³ Crouch, *The Image of Aristocracy*, 75-80; Coss, *The Lady*, 6-7.

⁴ A man became a knight by participating in a specific ritual, the ceremony of dubbing to knighthood. See M. Keen, *Chivalry* (London, 1984), 64-77. Kings, princes and earls were all expected to undergo this ceremony and become knights. The essential difference between these men and those lower down in society, for whom knighthood itself had become a definition of status, was that kings, princes and earls possessed other titles of greater social and political consequence.

⁵ In the twelfth century, *domina*, had been more generally applied to propertied rather than specifically aristocratic women. The French derivatives of *dominus* and *domina* were *dan* and *dame* respectively. See Crouch, *The Image of Aristocracy*, 148-152; Coss, *The Lady*, 9, 36-37.

In the absence of a female title equivalent to knight, the women upon whom this chapter is based have been defined according to their blood or marital relationship with men. As the thirteenth century was a time of fluid social boundaries, with esquires and gentlemen still to emerge in the future as distinct social ranks, this chapter will focus on the mothers, sisters, wives, widows and daughters of knights. This is the only way to be certain that the women with whom we are dealing belonged to gentry families rather than those of lesser free tenants. In order to be satisfied that the men themselves were of knightly status, only those persons who had performed administrative duties that were confined in England to knights have been selected for consideration. To be included, these men had to have served as grand assize electors or jurors, viewers of sickness essoins, viewers of attorney appointments, county court record bearers who came to the king's court, or jurors for pleas of attain⁶. Neither great barons nor men from non-knightly families undertook these tasks.

The sheer number of Lincolnshire knights who met these criteria in the early thirteenth century has necessitated the selection of a sample. Kathryn Faulkner's survey of the *curia regis* and eyre rolls for 1199-1216, found 277 administrative knights in Lincolnshire.⁷ My own study is constructed around a sample of fifty-eight local knights who served during the 1218-1219 Lincolnshire eyre.⁸ The actual number of knights in service during this eyre was probably significantly higher; persons who served on grand assize juries and juries of pleas of attain were not always listed in the court records. As this chapter is primarily interested in identities and family relationships, the sample of fifty-eight only includes those persons who were specifically mentioned by name in the roll. The 1218-1219 Lincolnshire eyre offers a useful base for this study because it falls at the beginning of the period 1215-1230. Faulkner has suggested that this was the critical time in the emergence of a distinctive knightly class, when at least a third, possibly a half, of all knightly families no longer sought the dignity of knighthood, preparing the way for the subsequent stratification of the gentry.⁹ The knights who were active during the 1218-1219 eyre encompass a wider economic cross-section of landed society than those who fulfilled similar duties later in the thirteenth century. At the bottom end of the scale were men with probably one knight's fee or under, such as Jerome of NORMANBY.¹⁰ In

⁶ For these criteria, see Faulkner, 'The Transformation of Knighthood', 1-4.

⁷ *Ibid.*, 6 (table I). Faulkner estimated that the total figure might have been as great as 332.

⁸ This roll is printed in *RJE*, 1-440. The administrative knights are listed in Appendix IX. For the locations of the places in Lincolnshire that are mentioned in this chapter, see Appendix X.

⁹ See Faulkner, 'The Transformation of Knighthood', 15-16.

¹⁰ In 1242-1243, Jerome's son, William, held the fourth part of one knight's fee in Normanby. See *BF*, II, 1083. Unfortunately, the number of knights' fees held by a knight is only a very rough guide to the extent of a knight's lands because knights' fees varied in size and might be subinfeudated. The family names of all Lincolnshire knights in my sample of fifty-eight will appear in CAPITAL letters throughout this chapter.

the middle, were men such as Hervey DARCY, who held four knights' fees in Lincolnshire and was the head of a cadet branch of the baronial DARCY family,¹¹ and towards the top was Roger de ST. MARTIN, who held seven and a half knights' fees in the same county.¹²

The potential size of the sample of Lincolnshire gentlewomen is large in comparison with the sample of three noblewomen upon which chapter one is based. This is a reflection of the disparity in both the quantity and quality of the evidence for women of these different social strata. But as a general rule much less source material survives for each individual member of the gentry than for members of the nobility and much less detail can be gleaned about the everyday lives of knights' mothers, wives and daughters than their fathers, husbands and sons. Nevertheless, it has still been possible to trace at least one female blood relation or marital partner for thirty-nine of the fifty-eight (67%) Lincolnshire knights in the Crown's financial and legal records for the thirteenth century, and/or the cartularies of local religious houses. This is by no means an exhaustive list and even when gentlewomen do appear, they must be treated with caution. Many of the documents in which these ladies feature relate first and foremost to women as conduits of property, facilitating the transfer of lands from one family to another by marriage, rather than as actors in their own right. This is the context in which recent studies of fourteenth- and fifteenth-century gentry families have placed women. Both Nigel Saul's study of the Sussex families of Etchingham, Sackville and Waleys, and Christine Carpenter's study of Warwickshire's landed community have highlighted the importance of lands and political connections that were acquired by knightly families through marriage alliances.¹³ The rather earlier Lincolnshire evidence will provide useful comparisons for their conclusions and will assess the role of gentlewomen in shaping family policies.

Marriage: I. Providing for Daughters

Like their high aristocratic counterparts, it is often as wives that the women of the Lincolnshire knightly class first come to the fore in the legal and charter material. The property settlement occupied a position at the heart of arrangements for a Lincolnshire gentlewoman's marriage, and provides an insight into the standing of daughters within knightly families. The few marriage contracts that survive from Lincolnshire reinforce the impression that unless they were widows,¹⁴

¹¹ BF, I (1212), 189. These four fees were held from Norman DARCY.

¹² Roger held two knights' fees in Little Limber, Keelby and Brocklesby, half a fee from the earl of Chester in Gainsthorpe, four and a half fees in Blyborough and *Yoltorp*, and half a fee from the bishop of Lincoln in Messingham. See *Ibid.*, I (1212), 158, 191, 192, II (1242-1243), 1075.

¹³ N. Saul, *Scenes from Provincial Life: Knightly Families in Sussex* (Oxford, 1986), esp. ch. 1; C. Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, 1401-1499* (Cambridge, 1992), esp. ch. 4.

¹⁴ See below, pp. 111-117.

gentlewomen had very little say in the matter and the negotiations were mostly formalised by their male kin and by the bridegroom or his father. The existence of such reciprocal arrangements in knightly society in thirteenth-century Lincolnshire and Yorkshire is provided by two charters of c. 1200. The first document is Fulk III D'Oyry of Gedney's grant to Robert the Constable II of Halsham and Burton Constable (Yorkshire) with his daughter Ela *in liberum maritagium* of half a carucate of land in Newton (Yorkshire) with tofts and all appurtenances. Careful to protect his interests, Fulk included a clause, stipulating that should Robert and his heirs by Ela die, leaving no heirs of their bodies, the property would revert to Fulk or his heirs after Ela's death.¹⁵ The second document is Robert the Constable's corresponding grant to Ela his wife *in liberum duarium* of the vill of Halsham (Yorkshire), Tharlesthorpe and Grasby (Lincolnshire) during the lifetime of Hawise de Blosseville (*quamdiu Hawisa de Blosseville' vixerit*).¹⁶ It is interesting to observe Robert's concern that if this did not amount to a third of his estate, 'both of purchase and acquisition' (*tam empcionis quam adquisicionis*), other lands would be assigned to Ela to make up the third.¹⁷ This represented a departure from *Glanvill's* expectation that a widow's dower should amount to no more than a third of the estate of which the husband was in possession on his wedding day.¹⁸ Instead, Robert's arrangements anticipated cap. 7 of the 1217 version of Magna Carta, which laid down that a widow's dower might amount to 'a third of all her husband's land which was his in his lifetime'.¹⁹

The survival of a pair of charters such as these is highly unusual. Yet references to *maritagium* and dower in legal records and in charters addressed to religious houses confirm the impression created by thirteenth-century law books that these arrangements were commonplace. It is possible to argue that they arose out of parental concern for the long-term protection and welfare of daughters. As with the lands of the higher nobility, the manors of the knightly class descended by primogeniture and daughters only inherited when there was no male heir in their generation.²⁰ The property settlements accompanying marriage were particularly important for the material wellbeing of non-inheriting daughters, whose sex prevented them from entering a profession that might be open to a

¹⁵K. Major, *The D'Oyrys of South Lincolnshire, Norfolk and Holderness 1130-1275* (Lincoln, 1984), 54 no. 1. For widows retaining possession of their *maritagia*, see p. 15 above.

¹⁶ Major, *The D'Oyrys*, 55 no. 2. The location of Tharlesthorpe is no longer known. The nature of Hawise's association with Robert is not entirely certain but it is clear that she was a local landholding widow who leased her dower in Halsham to Robert's father-in-law, Fulk III, in 1201. Perhaps Robert also reached a similar understanding with Hawise, and reassigned this property as his wife's dower. See *Ibid.*, 19.

¹⁷ *Ibid.*, 55 no. 2. Both charters were witnessed by William of HOLBEACH.

¹⁸ *Glanvill*, 59.

¹⁹ *Select Charters*, 341.

²⁰ *Glanvill*, 75-76.

younger son.²¹ Even opportunities for women within the Church were both financially and numerically more limited than those open to men.²² Women could not, after all, be ordained as priests.

Admittedly, nunneries might offer a relatively inexpensive means of providing for unmarried daughters. Brian Golding's study of the Gilbertine houses has drawn attention to the leading role that had been played by the Lincolnshire knightly class in founding religious establishments, especially those for women, in the twelfth century.²³ Female members of knightly families continued to enter these institutions in the late twelfth and early thirteenth centuries. A charter of Ralph fitzStephen of HOLLAND, which confirmed his father's gifts to the priory of Sempringham, refers to a daughter who had entered that house as a nun.²⁴ Similarly, the cartulary of the Cistercian abbey of Kirkstead records a gift made by William of MARTIN, probably the father of Walter of MARTIN, 'to the recluse (*inclusa*) dwelling in the cemetery of the church of St. Peter of Torksey and the nuns (*moniales*) there serving God' of thirty acres of land and two tofts in Torksey 'in alms with Avicia my daughter' (*in elemosina cum Avicia filia mea*).²⁵ While there was undoubtedly a strong religious motivation behind these grants, it cannot be disregarded that Ralph fitzStephen had four sons to support as well as his daughter,²⁶ and William of MARTIN had at least two sons and another daughter.²⁷

The need to provide for younger sons and non-inheriting daughters could place a great strain on a family's resources. An example of the problems that might arise through a father's need to provide *maritagium* for a daughter is demonstrated by a legal dispute between Alice, widow of Humphrey fitzWalter of Saltfleetby, and the prioress of Legbourne over the advowson of the church of St. Peter in Saltfleetby. During the Lincolnshire eyre of 1202, Alice attempted to establish her right of presentation to the church of St. Peter against the prioress of Legbourne. In support for her claim, Alice produced a charter of her father, Robert fitzGilbert of LEGBOURNE, which recorded that he had given Alice's husband *in maritagium cum Alicia filia sua suum balletot* ('hall toft') *de Saltfletesbi et*

²¹ Carpenter, *Locality and Polity*, 215.

²² For the poverty of English nunneries, see Thompson, *Women Religious*, 12-13.

²³ Golding, *Gilbert of Sempringham*, 196.

²⁴ 'Charters relating to the Priory of Sempringham', ed. E. M. Poynton, in *The Genealogist*, New Series, XVI (1900), 76 no. 36; R4, VII, 223.

²⁵ BL, Cotton. Vesp. MS. EXVIII, f. 103v.

²⁶ R4, VII, 223. See also Appendix XI (D).

²⁷ For a charter issued by Walter fitzWilliam of MARTIN, mentioning his sister Beatrice and witnessed by his brother Robert, see BL, Cotton. Vesp. MS. EXVIII, f. 35v. See Appendix XI (F)

donationem ecclesie sancti Petri de Salfletesbi.²⁸ The prioress, however, possessed her own set of charters, which recorded that Alice's father had granted the church to the nuns of Legbourne. This gift had been confirmed by Alice's brother William fitzRobert of LEGBOURNE, King John, Bishop Hugh of Lincoln, Archbishop Hubert of Canterbury and Popes Alexander III and Lucius III.²⁹ When Alice called her nephew, Robert [fitzWilliam] of LEGBOURNE, to warranty, he initially refused to support her claim and judgement was postponed.³⁰ After further litigation to decide whether Alice's or the prioress's charters had been issued earlier, the dispute was finally resolved in 1206.³¹ By a final concord, Robert [fitzWilliam] of LEGBOURNE granted the convent of Legbourne fifty-two acres of land in Legbourne and Scupholme in exchange for the church, after Alice had at last recovered seisin of the advowson in king's court.³²

The lack of surviving evidence makes it difficult to tell how the marriage portions of non-inheriting daughters compared with the landed provision that knightly families made for younger sons. Hugh M. Thomas's study of knightly families in Angevin Yorkshire may not indicate the percentage of the parental holding that their non-inheriting daughters and younger sons received, but it does suggest that male children were favoured over female and received greater shares of the family lands.³³ Moreover, Thomas found that the marriage portions themselves differed in size, according to the family's wealth, the number of daughters and their relative ages.³⁴ It seems reasonable to assume that the same was true in Lincolnshire. Ela, whose marriage to Robert the Constable II is discussed above, had two younger sisters for whom her father also had to provide.³⁵ Although her half-carucate marriage portion might not seem particularly generous, Thomas found that the common size for such grants in Yorkshire was a half to one and a half carucates.³⁶

²⁸ *ELAR*, 39 no. 239. See Appendix XI (E).

²⁹ *ELAR*, 39 no. 239. Alice's father and mother, Robert fitzGilbert and Matilda his wife, had founded the priory of Legbourne with Robert's brother, Berengar Falconer, between 1148 and 1166. Two of Berengar's daughters entered the house as nuns. See Thompson, *Women Religious*, 179, 224; *MA*, V, 634-635 nos. i-iii.

³⁰ *ELAR*, 39 no. 239.

³¹ *CRR*, II, 174, 280, III, 15, 221, 248, 270, IV, 11, 31, 105.

³² *FF (Lincs.)*, 103-104 no. 210.

³³ H. M. Thomas, *Vassals, Heiresses, Crusaders and Thugs: The Gentry of Angevin Yorkshire, 1154-1216* (Philadelphia, 1993), 121-124.

³⁴ *Ibid.*, 121.

³⁵ Ela was the eldest sister. Her sister Alice married (i) John Belet and (ii) William de Bello Monte. Another sister, Emencia, married Ralph of Goxhill. Although their elder brother Geoffrey inherited Fulk III's estates, Geoffrey himself died without issue in 1243 and his property was divided between Alice and the sons of Ela and Emencia. Unfortunately, no grants in *maritagium* survive for Ela's sisters. See Major, *The D'Oyrys*, 29-30.

³⁶ Thomas, *Vassals, Heiresses*, 121.

It is also hard to establish whether the land that formed marriage portions represented an acquisition, perhaps a purchase, or came from the patrimony. When Philip I of Kyme (d. 1192-1194) made a grant *in maritagio* with Hawise his daughter to Robert fitzRichard of Somercotes, he judiciously granted Robert the land that Berengar Falconer, Robert fitzRichard's great-uncle, had previously held from him in Hallington.³⁷ Sometimes other family members intervened to ease the burden of providing for non-inheriting females. Matilda of Stafford, for example, granted Matilda, another daughter of Robert fitzGilbert of LEGBOURNE, the tenement held by Torverd le mutere and Gilbert his son in Theddlethorpe, together with Torverd and Gilbert themselves and all their offspring.³⁸ Although this grant contains no reference to the younger Matilda's marriage, Ralph de Suleya's confirmation referred to the recipient as Matilda of HAMBY,³⁹ indicating that by the time that this second document was issued, Matilda had married Matthew of HAMBY.⁴⁰ What is particularly striking is the younger Matilda's relationship with Matilda of Stafford. In the first charter she is described as Matilda of Stafford's goddaughter (*filiole*) and in the second Matilda of Stafford is described as her grandmother (*avia*).⁴¹ Here we have a case where an older woman who was connected by both a spiritual and blood relationship with a younger woman provided for her from her own resources. The sharing of the same Christian name by the donor and recipient suggests that this arrangement might have been envisaged at the younger Matilda's birth.⁴² It is difficult to interpret this grant. On the one hand, it suggests that a shared awareness of womanhood existed within this Lincolnshire knightly family. On the other hand, Matilda of Stafford might simply have been passing on family property to another generation that had been earmarked for women's upkeep.

Matilda of Stafford was not the only relation who provided for the younger Matilda's material wellbeing. Ralph de Suleya also confirmed a grant of land in Theddlethorpe that Harold, the younger Matilda's brother, had given her.⁴³ Harold's son, Gilbert, appears to have resented this grant, which

³⁷ *Danelaw Docs.*, 351 no. 479. Robert fitzRichard of Somercotes was the grandson of Robert fitzGilbert of LEGBOURNE. This grant was witnessed by four of Philip I of Kyme's sons, Simon, William, Walter and Gilbert. Golding's research into the Kyme family has revealed that Philip left at least six sons on his death (a Philip and a Roger should be added to the list) and two other daughters, Joanna who was a nun at the Kyme foundation of Bullington, and Eleanor, but Golding neglects to mention Hawisa. See B. Golding, 'Simon of Kyme: The Making of a Rebel', *NMS*, XXVII (1983), 27.

³⁸ *Danelaw Docs.*, 353 no. 483. See Appendix XI (E).

³⁹ Two copies of this confirmation survive. See *Danelaw Docs.*, 353-354 nos. 484-485.

⁴⁰ For a document where Matilda is described as Matthew's wife, which is witnessed by four of her brothers, William, Richard, Walter and John, and her nephew Robert fitzWilliam, see *Ibid.*, 350 no. 478.

⁴¹ *Ibid.*, 353-354 nos. 483-485.

⁴² The significance of naming practices will be examined on pp. 103-105 below.

⁴³ *Danelaw Docs.*, 353-354 nos. 484, 485. The precise amount of land is unrecorded.

might well have been made before his birth and therefore possibly before his father expected a direct male heir of his own. Gilbert's legal challenge to Matilda's right to 5s. rent in Theddlethorpe resulted in a final concord in 1208 whereby he recognised Matilda's right to the rent, in return for which Matilda, with the assent of Walter her son and heir, granted Gilbert thirteen acres of land in Ormsby for an annual payment of 3*d*.⁴⁴ As Harold himself was a younger son, perhaps his provision for his sister Matilda had been associated with his own endowment by his father. The existence of Matilda's five brothers and two sisters explains the need to look to more distant relations to provide for her needs.⁴⁵

Marriage: II. Strategies

Although Lincolnshire gentlefolk recognised their responsibility to look after their daughters, they were also strongly aware, like their noble counterparts, of the material advantages that could be gained through marriage. In view of the scarcity of surviving marriage contracts themselves, the location of the lands of husbands, fathers-in-law and wives promises perhaps the best insight into possible marriage strategies. Unfortunately, naming practices often hamper this analysis. Saul found that most gentlewomen in his Sussex survey were only identified in the sources by their Christian name in association with their spouse, so that their premarital identity was often unknown⁴⁶ and the same is true of many female members of the thirteenth-century Lincolnshire gentry. Only nine Lincolnshire knights who served on the 1218-1219 eyre had wives who can be identified as the daughter, sister, niece or widow of a known individual.⁴⁷ If the net is extended to incorporate knights' mothers, aunts, sisters, nieces, daughters, granddaughters, great-granddaughters and the equivalent female in-laws who married into their families over several generations, the number still only swells to thirty-six. Even when two marriage partners are correctly identified, the possible motivation for that marriage may remain obscure.

Christine Carpenter's analysis of the fifteenth-century Warwickshire gentry led her to the conclusion that 'undoubtedly the only easy means to [acquire] an estate was marriage'.⁴⁸ Marriage to an heiress carried with it the promise that her inheritance would come into her husband's hands and would eventually pass to the couple's descendants. This was also a fact of life that the knightly families in

⁴⁴ *FF (Lincs.)*, 149-150 no. 297.

⁴⁵ See Appendix XI (E).

⁴⁶ In the case of the Etchingham family, for example, Saul found only two members whose wives could be identified by surname as well as by Christian name. Saul, *Provincial Life*, 7.

⁴⁷ See Appendix IX.

⁴⁸ Carpenter, *Locality and Polity*, 97.

thirteenth-century Lincolnshire apparently appreciated. Thomas of BECKERING, grandson of Peter of BECKERING, for example, married Mary, daughter and heiress of Alice de Bolam and James de Cauz, and thereby obtained a moiety of the Northumberland barony of Bolam.⁴⁹ It may not be clear who had arranged this alliance but Thomas's experiences lend weight to Christine Carpenter's suggestion that sometimes the search for a suitable marriage partner had to be conducted a good distance from the family holding.⁵⁰

Thomas of BECKERING's acquisition of part of a barony through his marriage to Mary offers a valuable example of the practice of hypergamy in thirteenth-century knightly society. None of the sampled Lincolnshire knights or their descendants appears to have married the sole heiress to a barony. This supports Scott Waugh's general proposition that these women and their substantial inheritances were usually beyond a knight's reach.⁵¹ Marriage to an heiress of a portion of a barony instead could offer a more realistic means for a well-to-do knight to elevate the standing of his lineage and add to his landed wealth.

Waugh has also observed that the same social endogamy that characterised marriages within baronial society pervaded knightly society; men and women tended to marry partners from similar regional groups. Waugh's study of marriages in the period 1217-1327 found that at least forty-six sections of twenty-four baronies were transferred into the hands of knightly families through marriages to local baronial co-heiresses.⁵² The evidence for thirteenth-century Lincolnshire bears this out. Cross-county marriages involving both baronial and non-baronial heiresses tended to be confined to the more wealthy Lincolnshire knightly families. Amabel, the heiress of Roger de ST. MARTIN, for example, transmitted her father's Lincolnshire lands to her first husband William of Ashby (Leicestershire), thereby providing a Midlands knight with a valuable base within this county.⁵³ Ties of lordship supported this particular match: both Roger and William were tenants of the honour of Mowbray, Roger in Lincolnshire and William in Northamptonshire.⁵⁴

⁴⁹ EYC, X, 81; Sanders, *English Baronies*, 17. See Appendix XI (A).

⁵⁰ Carpenter, *Locality and Polity*, 98. Thomas's own Lincolnshire inheritance and the properties in Northumberland and Huntingdonshire that he held in his wife's right are listed in his inquisition *post mortem* of 1272. See CIPM, I, 261-262 no. 791. For Mary's inquisition *post mortem* of 1279, see CIPM, II, 183 no. 313.

⁵¹ Waugh, *The Lordship of England*, 54.

⁵² *Ibid.*, 53.

⁵³ HKF, II, 189. For William of Ashby's lands, see BF, II (1242-1243), 932, 939, 952, 944. For William in possession of Amabel's inheritance, see *Ibid.*, II (1224-1230), 1462, II (1232-1233), 1467, II (1238-1241), 1476. See also Appendix XI (G).

⁵⁴ BF, I (1212), 192, II (1242-1243), 944, II (1224-1230), 1462, II (1232-1233), 1467.

Most of the marriages that I have traced involved families whose main property interests were concentrated within this one county, although it is possible that this was more a result of Lincolnshire's geographical size than the existence of a distinctive county community. None the less, ties of neighbourhood were extremely important in Lincolnshire, a county over which no single magnate family enjoyed dominance. Brian Golding has stressed the importance of 'horizontal ties' between knightly tenants in this region⁵⁵ and, within the context of gentry marriages, it is easy to understand the attraction for both parties of an heiress marrying a husband whose property was situated just a short distance from her lands. Not only would this ease the business of estate administration but it would also enhance the standing and influence of the families within the locality, providing a compact landed base. Charter witness-lists confirm the impression of a tightly-knit local knightly society. When Robert of Haceby was summoned to warrant three quarters of a bovat of land to his sister Agnes during the 1218-1219 Lincolnshire eyre and refused, Agnes called upon the witnesses of a charter issued by her father to support her claim. These included Adam de MERLE, Walter of MARTIN and Philip of TIMBERLAND, who were duly summoned.⁵⁶ Marriage strengthened these associations. Joan and Edelina, two sisters and co-heiresses of Ralph DEYN COURT of Potter Hanworth, both probably married local knights.⁵⁷ Joan married Simon of Martin, son of Walter of MARTIN, who held a quarter of a knight's fee in Martin by Timberland from the aforementioned Robert of Haceby.⁵⁸ Edelina's husband was possibly Robert of Dunston.⁵⁹ Potter Hanworth, Martin and Dunston were all situated just a short distance from one another in the Lincolnshire wapentake of Langoe.

Neighbourhood connections were also fostered and promoted by the marriages of non-inheriting daughters. Basilia DEYN COURT, Ralph's aunt, married John of Mere,⁶⁰ also in Langoe wapentake. As we have already seen, Alice, daughter of Robert fitzGilbert of LEGBOURNE, married Humphrey

⁵⁵ Golding, *Gilbert of Sempringham*, 271-272.

⁵⁶ RJE, 316-317 no. 657. *Et Agnes dicit quod per magnum tempus priusquam venisset apud Kim' quando obiit dederat idem Robertus pater suus ipsi Agneti terram illam et cartam illam fecit. et in seisinam eam posuit et inde petit ut recognoscatur quam per testes nominatos in carta quam per proximos de visneto et sunt testes...*

⁵⁷ For Ralph, Joan and Edelina DEYN COURT and their father William, see *Thurgarton Cart.*, lxii-lxv. For their father's knight's fee in Potter Hanworth, see *BF*, I (1212), 178. See also Appendix XI (B) and (F).

⁵⁸ *BF*, I (1212), 178, II (1242-1243), 1043. For the family connection between Walter and Simon, see BL, Cotton. Vesp. MS. EXVIII, ff. 31-31v, where Walter's and Simon's grants to Kirkstead Abbey are listed. For Joan and Simon as husband and wife, see *Thurgarton Cart.*, lxv.

⁵⁹ This is Trevor Foulds' suggestion. See *Ibid.*, lxv. A problem is posed by a charter addressed by Robert fitzStephen of Dunston to the nuns of the Gilbertine house of Catley, which mentions his wife Beatrice and is witnessed by 'Lord Simon of Martin, knight'. See *Gilb. Charters*, 75 no. 3. Perhaps Edelina was Robert's second wife as she survived her husband. See p. 116 below.

⁶⁰ For a grant of property made by Basilia's father, another Ralph, to John, see *Thurgarton Cart.*, ccxxi no. 25.

fitzWalter who came from nearby Saltfleetby.⁶¹ Even the marriages of illegitimate female offspring might be used to bind one knightly family to another and could offer a humble knight a means of allying himself with a more distinguished family. Conan fitzEllis, who held lands in Holbeach, married his illegitimate daughter to William fitzSimon of HOLBEACH, who served as the attorney and steward of that other local landowner, Fulk III D'Oyry.⁶² This was just one of several connections that bound these three men together. Conan's first wife, Emecia, was a D'Oyry, the daughter of either Fulk II or Waleran.⁶³ William, Conan and Fulk III all rebelled against King John in 1215-1216. When Fulk (III) D'Oyry made peace in 1216, William paid part of his fine, and when William and Conan made peace, William handed over his son to the king as a hostage for their good behaviour.⁶⁴ In these cases, ties of neighbourhood, lordship and service were cemented by marriage, into political ties of faction.

Husband and Wife

Matilda of HAMBY's appearance in charters and legal records with her husband's locative surname suggests that she became assimilated into her husband's lineage on marriage.⁶⁵ Yet we need to ask whether the inference that knights' daughters and sisters became completely integrated into their husbands' families is always justified. On the one hand, the number of wives whose premarital identities cannot be uncovered reinforces the idea that Lincolnshire gentlewomen in some sense lost their birth-identities on marriage. Moreover, Peter Coss has observed that when the wives of thirteenth-century knights sealed charters, they often used seals which displayed just their husbands' arms and did not incorporate those of their natal families.⁶⁶ Donations made to religious houses were closely associated with the exaltation of lineage and the lineage was often that of the husband's family. Such gifts were made by knights, like Walter of MARTIN *pro salute anime mee et sponse mee et patris mei et matris mee et omnium antecessorum et parentum meorum*.⁶⁷ The wife, whose lands came under the legal control of her husband, was not able to make independent grants during her husband's

⁶¹ RA, V, 128-129 no. 1639n. See Appendix XI (E). For the marriage of Alice's sister, Matilda, to Matthew of Hamby, which was also situated in the South Riding of the parts of Lindsey, see pp. 98-99 above.

⁶² Major, *The D'Oyrys*, 16-17.

⁶³ *Ibid.*, 3.

⁶⁴ Holt, *The Northerners*, 54-55. For William fitzSimon handing over his son, see ROF, 593-594.

⁶⁵ See pp. 98-99 above.

⁶⁶ Coss, *The Lady*, 47.

⁶⁷ BL, Cotton. Vesp. MS. EXVIII, f. 34v.

lifetime,⁶⁸ although a charter might record that her assent had been obtained, especially when a transaction included lands from her marriage portion or dower.

On the other hand, some gentlewomen maintained a close relationship and strong sense of personal identity with their natal families after marriage. Dominique Barthélemy's work on aristocratic households in medieval France has drawn attention to the manner in which family ties were celebrated by Christian names which passed from father to son, uncle to nephew, and often from maternal grandfather to grandson or great uncle to great nephew.⁶⁹ A survey of the Christian names of thirteenth-century Lincolnshire knightly families suggests that matrilineal connections mattered here too, especially when a wife came from a more illustrious family than her husband, or a family of similar wealth. Waleran of ROCHFORD's son and heir by Albreda, daughter and heiress of Ralph of Fen, was named Ralph, probably after his maternal grandfather.⁷⁰ Ralph fitzStephen of HOLLAND and his wife, Lecia, daughter of Roger of Stixwold, appear to have named one son Ralph after his father, another son Stephen after his paternal grandfather and another son Roger after his maternal grandfather.⁷¹ The sons of Alice, daughter of Robert fitzGilbert of LEGBOURNE, by Humphrey fitzWalter, included Walter, who bore the same name as his paternal grandfather, and Robert, who bore the same name as his maternal grandfather.⁷² Sometimes the popularity of a Christian name ensured that both paternal and maternal grandfathers were honoured. Robert fitzWilliam of LEGBOURNE, for example, had the same first name as his paternal grandfather, Robert fitzGilbert, and his maternal grandfather, Robert of Ropsley.⁷³ Likewise, William fitzHugh of WILLOUGHBY shared the same Christian name as his paternal grandfather, William of WILLOUGHBY, and his maternal grandfather, William de Scoteny.⁷⁴

⁶⁸ See *Glanvill*, 60.

⁶⁹ D. Barthélemy, 'Kinship', in *A History of Private Life: II. Revelations of the Medieval World*, ed. G. Duby and trans. A. Goldhammer (Cambridge, Massachusetts, 1988), 97.

⁷⁰ Of course, we cannot be sure that Ralph fitzWaleran was not a second son whose elder brother predeceased him. For the identity of Albreda's father, see *CRR*, I, 460-461. For the name of their son, see *CRR*, XVI, 475 no. 2393.

⁷¹ For a charter of Ralph's witnessed by his sons, see 'Charters relating to the Priory of Sempringham', 76 no. 36. Lecia is mentioned in a charter of Ralph fitzRalph of HOLLAND in BL, Cotton. Vesp. MS. EXVIII, f. 37v. Ralph's family are discussed in *R4*, II, 222-224. See Appendix XI (D).

⁷² See *R4*, V, 128-131 nos. 1639-1642. See also Appendix XI (E).

⁷³ William fitzRobert's wife was Matilda, daughter of Robert of Ropsley. See *HKF*, II, 108. Farrer wrongly identifies Alice, daughter of Robert fitzGilbert's husband. For his correct identity, see *R4*, V, 128-129 no. 1639n. The identity of Robert fitzGilbert's wife, however, appears to be correct.

⁷⁴ W. O. Massingberd, 'Willoughby of Willoughby, co. Lincoln', *The Genealogist*, New Series, XVIII, (1902), 233.

Pauline Stafford's analysis of tenth- and eleventh-century naming practices in the Anglo-Saxon royal family revealed that royal daughters were more likely than sons to be given Christian names from their mothers', grandmothers', and even great-grandmothers' families.⁷⁵ This she attributed to their more marginal position within the family, especially in relation to inheritance practices that favoured the male line.⁷⁶ In view of the practice of primogeniture in thirteenth-century England, with its emphasis firmly on the direct male line, this might also to have been true in this later period.⁷⁷ Unfortunately, the names of the female offspring of thirteenth-century Lincolnshire knights are much more difficult to find than those of their brothers and sons. Indeed the obstacles encountered in finding women in the charter material are themselves a reflection of laws that relegated daughters to the position of inheritors by default and placed a wife's property completely at her husband's disposal. Even so, there are signs that some Lincolnshire knights' daughters were named after their mothers and grandmothers. Alice, daughter of William of WOODHALL, probable sister of Roland fitzWilliam of WOODHALL, for example, shared the same Christian name as their mother.⁷⁸ Matilda of HAMBY shared the same Christian name as her mother Matilda, wife of Robert fitzGilbert, and her probable maternal grandmother, Matilda of Stafford.⁷⁹

Nevertheless, it remains hard to establish how far Christian names should be interpreted as a recognition of matrilineal and patrilineal relationships. The emergence of hereditary, often locative, surnames in late eleventh- and twelfth-century England can be slightly more helpful in addressing the question of a wife's integration into her husband's family.⁸⁰ A study of the surnames adopted by the sons of Lincolnshire knights suggests that there were certain circumstances in which a knight might become more closely associated with his wife's family on marriage, rather than vice versa. As with Christian names, the status of the wife's family was an important determining influence. If the mother was, for example, an heiress who came from a more noble family than her husband, then her offspring might prefer to adopt her surname rather than that of their father. The mother might also keep her natal family's surname after her marriage. Gundreda de Ver, the sole heiress of Guy II de

⁷⁵ P. Stafford, *Queen Emma and Queen Edith: Queenship and Women's Power in Eleventh-Century England* (Oxford, 1997), 89-90.

⁷⁶ *Ibid.*, 90.

⁷⁷ Constance Bouchard's study of female names among the upper nobility of Western Europe in the twelfth century has suggested that women's names were particularly likely to migrate between different lineages and has argued that they did so far more in the later period than in the ninth and tenth centuries. See C. B. Bouchard, 'The Migration of Women's Names in the Upper Nobility, Ninth-Twelfth Centuries', *Medieval Prosopography*, IX.ii. (1988), 1-19.

⁷⁸ BL, Cotton. Vesp. MS. EXVIII, f. 213v nos. xix, xxvii. See Appendix XI (I).

⁷⁹ See p. 98 above.

⁸⁰ See J. C. Holt, 'Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066', *TRHS*, Fifth Series, XXXII (1982), 200-203.

Ver, retained her father's surname throughout her life and both her sons by her first marriage to Adam fitzErneis of Goxhill (d. c. 1205) and second marriage to Nicholas de CHAVINCURT senior took the name of Ver.⁸¹

Although we do not know whether Adam's son, Walter, took his mother's surname with his father's blessing, a gift made by Nicholas de CHAVINCURT senior to Selby Abbey 'with the assent and agreement of William de Ver my son' (*assensu et consensu Willelmi de Ver filii mei*), suggests that this father was happy for his son to bear his mother's more prestigious second name.⁸² The context and content of this particular grant offer a valuable insight into Nicholas's concern to identify himself and his lineage more closely with Gundreda's family. Selby Abbey, the religious foundation to whom the charter was addressed, had been patronized by his grandfather-in-law and father-in-law, but not by Nicholas's family before.⁸³ The purpose of Nicholas's gift, which comprised all the land that Reignerus de Gunnesse had held from Guy de Ver in *Gunnesse*, with his homage and service, was to provide *iiij solidos ad pitanciam praed. monachorum in obitu praefatae Gundredae, qui est duodecimo kal' Septembr., et duos solidos ad distribuend. pauperibus eodem die pro anima praed. Gundredae*.⁸⁴ By commemorating his wife in a religious house associated with her, as opposed to his, forebears, Nicholas the CHAVINCURT senior sought more than the salvation of his and Gundreda's souls; he wanted to celebrate his marital connection with the distinguished Ver family.

Nicholas de CHAVINCURT senior was not the only member of the knightly class who supported a religious foundation associated with his wife's family. Religious patronage, like naming practices, provided another means of glorifying a marriage alliance with an exalted family, especially when an element of hypergamy was involved. William of WILLOUGHBY, for example, confirmed all the lands in Dalby that William of Fulletby, his father-in-law (*socer meus*), had given to Kirkstead Abbey, promising that he and his heirs by Matilda, William's daughter (*filia prenominati Willelmi*), would warrant this property to the monks.⁸⁵ John of Roughton, husband of Matilda, daughter of William of

⁸¹ For Gundreda's son and heir, Walter de Ver, by her first marriage, see *RA*, II, 211-212 no. 509n.; *EYC*, III, 61. For Gundreda's son, William de Ver, by her second marriage, see *The Coucher Book of Selby*, ed. J. T. Fowler (2 vols., Yorks. Archaeological and Topographical Association, Record Ser., X, XIII, 1890, 1892), II, 296 no. mcccxviii. The Nicholas de CHAVINCURT whom Gundreda married was presumably related to the other Nicholas de CHAVINCURT who served as an administrative knight in 1218-1219 and who married Walter de Ver's widow, Sybil. I have called Gundreda's husband Nicholas de CHAVINCURT senior to distinguish between these two men. See Appendix XI (C).

⁸² *Coucher Book of Selby*, II, 296 no. mcccxviii.

⁸³ See, for example, *Ibid.*, II, 224-225 nos. mxci-mxciii, 297-298 nos. mcccxi-mcccxxiii.

⁸⁴ *Ibid.*, II, 296 no. mcccxviii. Gundreda died in c. 1210. See *CRR*, VI, 58.

⁸⁵ BL, Cotton. Vesp. MS. EXVIII, f. 15v. See Appendix XI (H).

WOODHALL, also imitated his in-laws' patronage of Kirkstead Abbey.⁸⁶ Waleran of ROCHFORD, who named his son and heir after his father-in-law, can be found not only confirming Ralph of Fen's gifts to Kirkstead but also making some new donations of his own.⁸⁷

Although it is virtually impossible to assess the role played by the wives themselves in directing their husband's generosity towards particular religious foundations, presumably they exerted some influence over their spouses' choice. It was, after all, the distinguished background and high status of these women that persuaded their husbands and sons to celebrate their wives' and mothers' connections.⁸⁸ Even so, the absence of wills and of correspondence between husbands and wives, means that the extent to which mutual affection and the interplay of personalities might lessen a wife's subordination to her husband in everyday life, remains an unknown quantity at this social level.

The involvement of husbands and wives in litigation can provide occasional clues about actual relationships between couples of knightly status. In the public context of the royal courts, it was often the husband, rather than the wife, who became involved in litigation, as a plaintiff or defendant. This is perhaps only to be expected in a society where the husband was the legal head of the household, answerable for his wife's, children's and servants' actions. Yet both husbands and wives were legally required to litigate jointly when they possessed a claim to any property that they were either pursuing or defending in the wife's right.⁸⁹ John ESCAVIN and his wife Margaret, for example, were both called on to defend their right to a toft in Wootton that formed part of Margaret's inheritance from her father, Herbert Morant.⁹⁰ When Eudo of Garton brought an assize of mort d'ancestor against Walter fitzIVO, Walter called Isabella his wife to warranty.⁹¹ Yet the manner in which both these husbands served as their wives' attorneys might suggest that the women themselves played a small part in this litigation.⁹²

⁸⁶ John's grants are listed under the heading *Carte Refectorii*. See BL, Cotton. Vesp. MS. EXVIII, f. 210. For Matilda's confirmation of John's grants in her widowhood, see *Ibid.*, f. 150v. For examples of WOODHALL patronage, see *Ibid.*, ff. 210, 212, 213v.

⁸⁷ Ralph of Fen's grants are listed in *Ibid.*, ff. 178, 212v. Waleran's grants are listed in *Ibid.*, fol. 212v, next to those of his father-in-law.

⁸⁸ Some thirteenth-century churchmen were encouraging wives to direct their husbands' religious patronage. See Farmer, 'Persuasive Voices', 517-543. See also p. 13 above.

⁸⁹ Brand, 'Family and Inheritance', 65.

⁹⁰ RJE, 247-248 no. 521.

⁹¹ CRR, II, 295.

⁹² For John ESCAVIN acting on Margaret's behalf, see RJE, 312 no. 652. For Walter fitzIVO's appointment as Isabella's attorney, see CRR, II, 190-1, 295; ELAR, 227 no. 1274.

There are, however, also indications that knights who were engaged in business away from home were quite prepared to allow their wives to look after family affairs. The wealth of correspondence that survives from the fifteenth century for the Paston and Stonor families has shown the central role that gentry wives played in looking after estates and family interests in their husbands' absence.⁹³ Margaret Paston, wife of John Paston (d. 1466), for example, corresponded regularly with her husband on a wide variety of matters when he was staying in London. In a letter dated 21 October 1460, Margaret reported to her husband on the successful sale of wool, the purchase of horses, the leasing of his mills, and the local dignitaries whom she had entertained.⁹⁴ Although the daily lives of the thirteenth-century Lincolnshire gentry are more poorly documented, it seems reasonable to suppose that here too necessity sometimes demanded that husbands devolve responsibility to their wives. An entry on the *curia regis* rolls for 1200, records how Albreda, wife of Waleran of ROCHFORD, attorned Martin the clerk, presumably in Waleran's absence, against Ismena of Anjou, Baldrick de Grendale and Isabella his wife, and Henry Porter and Cecilia his wife, in a plea of assize.⁹⁵ During the 1245 Lincolnshire eyre, in what were probably similar circumstances, Amabel, daughter of Roger de ST. MARTIN, appointed Walter of Blyborough and Walter de Wikures' to act as her attorneys.⁹⁶

Widowhood: I. Dower

Whether she had married an earl or a knight, the social position and financial security of a wife could be profoundly affected by the death of her husband when his inheritance passed to his heir.⁹⁷ Yet this was just one side of the story. By reason of the widow's survival, an heir would be denied access to a sizeable portion of that inheritance for the remainder of the widow's life, thereby diminishing the resources that might provide for the heir and his/her own offspring.⁹⁸ Long-lived widows were not unknown among the Lincolnshire gentry. Hugh fitzWilliam of WILLOUGHBY, who died before 1227 was survived by his wife, Frethesaud, who outlived her husband by more than thirty years.

⁹³ See *The Paston Letters*, ed. and trans. J. Warrington (2 vols., London, first published 1924, second edition 1956); *Kingsford's Stonor Letters and Papers 1290-1483*, ed. C. Carpenter (Cambridge, 1996).

⁹⁴ *Paston Letters*, I, 152-154 no. 148.

⁹⁵ CRR, I, 129. Waleran was appointed as his wife's attorney on other occasions, if not on this one. See CRR, V, 120, 125.

⁹⁶ PRO, JUST1/482, mm. 17, 22d. Amabel was then married to her second husband, William de Bussey.

⁹⁷ A knight's widow normally kept her marriage portion and, if she was an heiress in her own right, her own inheritance. The inquisition *post mortem* of Mary, widow of Thomas of BECKERING, for example, shows that after her husband's death, she retained the lands in Northumberland and Huntingdon that had been specifically identified as her inheritance in her husband's inquisition *post mortem*, while their son had succeeded immediately to his father's Lincolnshire property. See CIPM, I, 261-262 no. 791, II, 183 no. 313.

⁹⁸ See Loengard, "'Of the Gift of her Husband'", 237-239.

Frethesaud's inquisition *post mortem* of 1259 found her still in possession of what was presumably her dower from the WILLOUGHBY marriage, a third of one knight's fee in Fulletby.⁹⁹ The Fulletby lands had come into the hands of the WILLOUGHBY family through William of WILLOUGHBY's marriage to Matilda, daughter and co-heiress of William of Fulletby.¹⁰⁰ By dowering Frethesaud with this land, the Willoughbys at least ensured that their patrimony remained intact during the lifetime of this widow.

Although many widows of Lincolnshire knights apparently entered their dower without encountering any serious, or at least any documented opposition,¹⁰¹ disputes over dower after the husband's death were a risk that some knights, and those they favoured, were anxious to avoid. When John de BERGATES gave Kirkstead Abbey his dole (*daila*) of meadow and fen in Timberland, he carefully specified that 'this dole does not pertain to my wife's dower because I assigned all her dower to her to be received in Blankney' (*hec daila nichil pertinet ad duarium sponse mee quia totum duarium suum ei assignavi capiendum in Blankenia*).¹⁰² Not all husbands were so careful, in some cases, a widow's efforts to enter her dower were blocked, forcing her to resort to litigation in the king's courts.

Much dower-related litigation involved the recovery of land that had been alienated by the widow's deceased husband during his lifetime. Sybil, widow of Walter de Ver had a particularly troublesome time trying to secure her dower in Yorkshire and Lincolnshire from no fewer than twenty-nine of her late husband's tenants¹⁰³ The fact that Simon, Walter's son and heir, was a minor whose wardship was not in his mother's hands complicated matters further. This meant that it was up to the child's guardian to grant Sybil admittance to her dower and uphold her rights against any tenants who

⁹⁹ *CIPM*, I, 121 no. 442; *PRO*, C132/22 (17). Hugh fitzWilliam had predeceased his father, see Massingberd, 'Willoughby of Willoughby', 230-231. See also Appendix XI (H).

¹⁰⁰ Massingberd, 'Willoughby of Willoughby', 230.

¹⁰¹ Just five of the twenty-three possible knights' wives whom I have identified whose husbands served during the Lincolnshire eyre of 1218-1219 can be found litigating over entry to their dower after their husbands' deaths. These were Helewisa, widow of Ralph of BARKWITH (*CRR*, VIII, 30, 55, 162, 208, 258-259, 377), Avicia, widow of William of BAYEUX (*CRR*, XIV, 105-106 no. 537, 137 no. 687, 273 no. 1287), Alina, widow of John de Bergates (*AFC*, 191-192 no. 114, 206-207 no. 167); Agnes, widow of Jerome of NORMANBY (*CRR*, XI, 282 no. 1393, 359 no. 1796, 379 no. 1897, 514 no. 2582); and Albreda, widow of Waleran of Rochford (*CRR*, XIII, 15 no. 69).

¹⁰² BL, Cotton. Vesp. MS. EXVIII, f. 35.

¹⁰³ These were the abbots of Bardney, Thornton Curtis and Rievaulx, the prior of Bridlington, Robert de Ros, Alexander de Crevequer, Saher of Sutton, Walter of Whitton, Andrew de Celario, Henry of Whitton, Thorold the shepherd, John fitzEdric, Hugh of Goxhill, William Wambeis, Roger Huberduncy, Ralph fitzRobert, Nicholas de Chavincurt, Andrew of Wootton, Robert de Ver, Henry fitzWilliam, Simon of Roxton, Andrew the abbot of Thornton's man, Laurence de Wilton', Godfrey Brito, William Brito (Godfrey's warrantor), Ralph of Sproatley, Henry fitzWalter, Andrew Wacelin and William fitzRobert. See *CRR*, VII, 1, 4, 5-6, 8, 13, 18-19, 31, 34, 45, 54, 88-89, 114, 125, 130-131, 152, 160, 177, 185-186, 243, 244, 249-50, 267, 310; *RJE*, 3 no. 13, 240 no. 510, 248-50 nos. 522-29, 251 nos. 531-32, 277-78 no. 581, 281 no. 590, 294-296 nos. 618-20, 309-11 no. 648, 340-341 no. 701, 343-45 no. 705, 439-440 no. 912; *CRR*, XII, 42 no. 241; *AFC*, 156 no. 8a.

occupied that property.¹⁰⁴ When Sybil initially sought her dower against the abbot of Thornton Curtis, Walter of Whitton, Roger Huberduncy, Ralph fitzRobert and various others at Michaelmas Term 1213, the tenants simply refused to reply without their warrantor, Simon, Walter de Ver's son and heir, 'who is underage and in the custody of Fulk D'Oyry (*qui infra etatem est et in custodia Fulconis de Oyn*)'.¹⁰⁵ This meant that the case had to be postponed until Fulk III D'Oyry could be summoned to attend the court. Non-appearance was another delaying tactic employed by the Ver tenants, although this carried with it the danger for the tenant that the disputed property might be taken into the king's hand, as Saher of Sutton discovered.¹⁰⁶ As the litigation over Sybil's dower dragged on into 1214, the tenants resorted to further stalling methods. In Hilary Term 1214, for example, sixteen Lincolnshire tenants actually appeared in court but avoided a final judgement again by asking for a view.¹⁰⁷ During Trinity Term 1214, the same men refused once more to appear without their warrantor, Simon de Ver, and his guardian, Fulk III D'Oyry, was re-summoned.¹⁰⁸ Fulk's repeated failure to attend resulted in yet another delay.¹⁰⁹ Throughout 1213 and 1214, the only person against whom Sybil met with any form of success was the prior of Bridlington, who returned the third part of two and a half acres of land in Barton-Upon-Humber,¹¹⁰ and even the prior became involved in further litigation over Sybil's dower when a Laurence de Wilton' later called him to warranty.¹¹¹

Loengard's study has pointed out that a widow could also encounter difficulties in obtaining her dower if her deceased husband had left no surviving issue; then the lands might pass to the dead man's brother, sisters, a still more distant blood relation or his lord.¹¹² The evidence for the thirteenth-century Lincolnshire gentry bears this out. Eleanor, widow of Thomas fitzPeter of BECKERING, for instance, sought her dower in 1233 from Simon of BECKERING, who was

¹⁰⁴ Custody of both the child and his lands reverted to the overlord on the death of the tenant, his father. A mother had no automatic right to the guardianship of her child, although she might purchase or be granted custody at the overlord's discretion. Sue Sheridan Walker's research into child custody in medieval England indicates that most underage heirs were not raised by their mothers. See S. S. Walker, 'Widow and Ward: the Feudal Law of Child Custody in Medieval England', *Feminist Studies*, III (1976), 104-110.

¹⁰⁵ CRR, VII, 18-19.

¹⁰⁶ *Ibid.*, VII, 8, 13, 34.

¹⁰⁷ *Ibid.*, VII, 88-89.

¹⁰⁸ *Ibid.*, VII, 160.

¹⁰⁹ *Ibid.*, VII, 160, 250.

¹¹⁰ *Ibid.*, VII, 31.

¹¹¹ *Ibid.*, VII, 114.

¹¹² Loengard, "Of the Gift of her Husband", 231-232.

probably her late husband's brother.¹¹³ Perhaps unsurprisingly, Loengard also observed that the most common adversary whom widows faced in the courts were stepsons from their late husbands' previous marriages.¹¹⁴ The widespread use of patronymics in the thirteenth-century Lincolnshire material means that we can occasionally infer that the defendant in a dower-related dispute was the late husband's son, but the widow's stepson. In 1272, for example, the register of Bishop Richard Gravesend of Lincoln recorded that Lady Philippa of ROTHWELL, widow of Alan of ROTHWELL, had recovered the advowson of the church of Langton by Horncastle against Robert fitzAlan of ROTHWELL.¹¹⁵ The same type of stepfamily relationship is suggested by an agreement between Margery, widow of Simon of BECKERING, and Thomas of BECKERING, Simon's son and heir, in 1234. Margery quitclaimed to Thomas her dower of the third part of fourteen bovates in Beckering, Holton and Torrington in return for a life-grant of a toft, half a mark's rent and nine quarters of corn per annum.¹¹⁶

Insufficient information survives about the early life of Ranulf, son and heir of John de BERGATES, to determine whether John's widow, Alina, was Ranulf's mother or stepmother, although John's association of his son with him in his later charters indicates that Ranulf was an adult by the time of John's death.¹¹⁷ Nevertheless, Alina's experiences of widowhood reveal that even when a husband had made careful provision for his wife's dower in his lifetime, it might still not be either possible or practical for the widow to enter her dower after his death. By a final concord of 1226, Silvester and his wife Scolastica, the tenants of the third part of forty acres of land and a toft in Blankney, which Alina claimed as her dower, recognized Alina's right and gave her 10s., in return for which Alina granted them back the land for a rent of 2s. per annum.¹¹⁸ Alina reached a similar understanding with Henry fitzThure, the tenant of the third part of a bovat of land and a toft in Timberland.¹¹⁹

¹¹³ CRR, XV, 22 no. 103. Peter of BECKERING, the knight who held lands in Beckering, Holton and Torrington where Eleanor, wife of Thomas, sought her dower, had a son whose initial was T. and the same Peter was succeeded by another son called Simon. See EYC, X, 80-81. See also Appendix XI (A).

¹¹⁴ Loengard, "Of the Gift of her Husband", 232.

¹¹⁵ *Rot. Ric. Grav.*, 52. See also CPR 1266-1272, 700. Philippa is described as Alan's widow in an estimate made in 1291 of the waste done by her in a messuage, a carucate of land and eighty acres of wood in Langton, which comprised Robert of ROTHWELL's inheritance. See CIM, I, 439 no. 1557. Alan of ROTHWELL was the son of William of ROTHWELL who served during the 1218-1219 Lincolnshire eyre. For the lands of this father and son, see BF, I (1212), 158, 166, 183, I (1226-1228), 361, II (1242-1243), 1014, 1021, 1050, 1060, 1081, 1087, II (1238-1241), 1472.

¹¹⁶ EYC, X, 81; AFC, 269 no. 157.

¹¹⁷ For Ranulf, see *Thurgarton Cart.*, 439 no. 727, 440-446 nos. 729-734, 736-742.

¹¹⁸ AFC, 206-207 no. 167.

¹¹⁹ *Ibid.*, 191-192 no. 114. Alina quitclaimed all her right to Henry and his heirs, in return for which he paid her 8s.

Moreover, a charter in Thurgarton Priory's cartulary records her resignation of all her dower rights in a tenement in Timberland that John had given this religious house, and an exchange of one strip of land for another.¹²⁰

For some gentlewomen, widowhood was a time of vulnerability and economic hardship. Helewisa, widow of Ralph of BARKWTH, sought her dower in the king's courts in 1219-1220 against the abbot of Kirkstead, the prioress of Stainfield, Robert fitzRalph (? a stepson), John de Rand', Ralph fitzAlan, Richard de Helewell', Ralph de Rasne, Roger fitzRalph (? a stepson), and Cecily, widow of William fitzRobert.¹²¹ A rather sad charter in Kirkstead Abbey's cartulary reports Helewisa's resignation of her dower rights in the land in Great Sturton that her husband had given the monks, in return for 'two marks, one cow, one sum of wheat (*una summa frumenti*), one sum of rye (*una summa siliginis*) and half a sum of barley (*dimidia summa orde*) in my [Helewisa's] great necessity (*in mea magna necessitate*)'.¹²² This grant is immediately followed by another charter in the cartulary, which details Helewisa's resignation of her dower rights (*de dote petenda vel habenda*) in all the land and the homage and service of Robert Musterol, which her husband Ralph had also given to the monks of Kirkstead.¹²³ The second document, which appears to have been issued at a different time from the first, was witnessed by her brother, Roger de ST. MARTIN. Perhaps Helewisa had turned to her natal family for support on her husband's death.¹²⁴

Widowhood: II. Remarriage and the Question of Choice

The patchy nature of the evidence prevents a statistical analysis of the number of knights' widows who remarried in thirteenth-century Lincolnshire. Waugh's study of baronial marriages in England between 1217 and 1327 found that many widows at this higher social level remarried at least once.¹²⁵ The same may have applied to knights' widows, but it is often difficult to tell. Sybil de Ver made a second marriage to Nicholas de CHAVINCURT, and Alina was already the widow of Robert of

¹²⁰ *Thurgarton Cart.*, 440 no. 728.

¹²¹ CRR, VIII, 30, 55, 162, 208, 258-259, 377. The abbot of Kirkstead and prioress of Stainfield named Ralph, son and heir of Ralph of BARKWTH, as their warrantor. Perhaps we are looking at another case where a stepson had failed to support his stepmother's claims.

¹²² BL, Cotton. Vesp. MS. EXVIII, f. 164v. Although Helewisa is described as *Helewisa sponsa Radulfi filii Willelmi de Barkeword*', the circumstances and content of this charter suggest that she was a widow when it was made. Ralph of BARKWTH's donation to the monks of three bovates and Helewisa's confirmation are listed in *Ibid.*, f. 157v.

¹²³ *Ibid.*, f. 165v.

¹²⁴ *Ibid.*, f. 165v. Neither of these charters or their witness-lists refers to Ralph of BARKWTH's son and heir, Ralph, strengthening the impression that he might have been Helewisa's stepson. See Appendix XI (G).

¹²⁵ Waugh, *The Lordship of England*, 46-47.

Thorganby when she married John de BERGATES. Similarly, Matilda, widow of Martin of Canwick, married Walter of MARTIN, Amabel de ST. MARTIN, widow of William of Ashby, married William de Bussey, and Frethesaud, widow of Hugh fitzWilliam of WILLOUGHBY, married Walter of Killingholme. Of course, the likelihood that a widow might remarry depended greatly on her age (and whether she might still be able to bear children), her wealth, and her family connections (especially her kinship with her late husband's heir).¹²⁶ This section will explore whether knights' widows were able to exercise any freedom of choice in the matter of their remarriage.

On the one hand, the remarriages of widows of tenants-in-chief, who included Lincolnshire knights, came within the king's sphere of influence, and the remarriages of the widows of their tenants came under the influence of their chief lords.¹²⁷ The question of choice for some of these women can be seriously called into doubt in the years prior to Magna Carta. The king's consent was required for the widow of a tenant-in-chief to remarry and the fine and pipe rolls for the early 1200s reveal that King John regarded both noble and gentle widows as valuable commodities whose marriages might be sold to the highest bidder.¹²⁸ As Waugh has demonstrated, the king was able to use the very real threat of distraint to coerce a widow into a remarriage that he favoured.¹²⁹ In 1205, the lands which Alice, daughter of Fulk III D'Oyry and widow of John Belet, held in dower were taken into the king's hand when she refused to marry Ralph Ridell' who had offered fifty marks and two palfreys for her hand.¹³⁰ Admittedly, gentry widows could and did purchase the right to remain single. Alice was able to extricate herself from this situation when her father paid 100 marks so that she might recover her property and remain single.¹³¹ Yet the fact that it was her father who provided the necessary financial assistance, casts further doubts on the extent of Alice's freedom from male tutelage.

Some knights, possibly with the widows' encouragement, were prepared to risk a large fine by marrying without the king's consent. In 1214, Walter of MARTIN gave the king three palfreys *pro misericordia sua* because he had married Matilda, widow of Martin of Canwick, presumably without royal permission, who was in the king's gift 'by reason of her dower (*ratione dotis sue*)'.¹³² Cap. 8 of the 1215 version of Magna Carta at least reduced the danger of distraint, by laying down that no widow

¹²⁶ See J. A. Brundage, 'The Merry Widow's Serious Sister: Remarriage in Classical Canon Law', in *Matrons and Marginal Women in Medieval Society*, ed. R. R. Edwards and V. Ziegler (Woodbridge, 1995), 34.

¹²⁷ Waugh, *The Lordship of England*, 69.

¹²⁸ See Holt, 'Feudal Society IV', 21-22.

¹²⁹ Waugh, *The Lordship of England*, 86.

¹³⁰ Holt, 'Feudal Society IV', 23; ROF, 226; CRR, III, 257.

¹³¹ Holt, 'Feudal Society IV', 23-24; ROF, 287-288.

¹³² ROF, 542-543; *Pipe Roll 1214*, 151. Presumably Martin of Canwick had been a tenant-in-chief.

who held her lands from the king or from another lord, should be forced to remarry.¹³³ After Magna Carta, King Henry III was only able to withhold his approval for a widow's marriage; distraint was replaced by persuasion.¹³⁴

Financial considerations might also have restricted a knight's widow's freedom of choice over remarriage. The circumstances surrounding Nicholas de CHAVINCURT's marriage to Sybil, widow of Walter de Ver, are particularly instructive. We have already examined the difficulties that Sybil faced in trying to recover her dower in the royal courts after Walter's death. By far the largest amount of property that Sybil attempted to recover from a single lay tenant was that held by Nicholas de CHAVINCURT. From Nicholas, she sought a third of two carucates of land in Scotton, a third of fourteen and a half bovates of land in Messingham, a third of twelve acres of land and a third of one mill in an unspecified location, a third of the vill of Bottesford, a third of seven bovates of land in Ashby, a third of ten acres of land in Coningsby, a third of one toft in Thorpe, and a third of one and a half bovates of land in Burringham.¹³⁵ Material considerations surely played an important part in influencing Sybil's subsequent decision to marry Nicholas. Although Sybil disappears from the sources between 1215 and 1217, she reappears as Nicholas's wife in 1218.¹³⁶

From Nicholas de CHAVINCURT's point of view, marriage to Sybil de Ver not only allowed him to cut his losses with regard to her dower rights in his lands, but also provided him with an opportunity to add to his own wealth and prestige by marrying his lord's widow.¹³⁷ For Sybil, this marriage offered her some form of financial security and immediate access to a sizeable portion of that property that pertained to her dower.¹³⁸ Furthermore, Nicholas was to provide her with useful assistance in the recovery of her remaining dower. Indeed, her new husband played a key role in the resumption of litigation over Sybil's dower during the 1218-1219 Lincolnshire eyre, energetically acting as his new wife's attorney.¹³⁹ This second round of litigation met with greater success than the

¹³³ *Select Charters*, 294.

¹³⁴ For Henry III's adherence to Magna Carta's provisions on widows and his adoption of 'persuasive' tactics in the promotion of marriages, see Waugh, *The Lordship of England*, 85-86, 218.

¹³⁵ *CRR*, VII, 88-89.

¹³⁶ *RJE*, 3 no. 13.

¹³⁷ Nicholas was not the first member of his family to do this. See pp. 104-105 above.

¹³⁸ There is, however, evidence that Nicholas himself was experiencing some financial difficulties. See p. 119 below.

¹³⁹ *RJE*, 240 no. 510, 248-250 nos. 522-529, 251 nos. 531-532, 277-278 no. 581, 281 no. 590, 294-296 nos. 618-620, 309-311 no. 648, 340-341 no. 701, 343-345 no. 705, 439-440 no. 912.

first, even though Simon de Ver was still a minor, now in the bishop of Lincoln's custody.¹⁴⁰ A chirograph was drawn up between Nicholas and Sybil, and the abbot of Bardney, whereby the abbot recognized their right to a third of two bovates of land as Sybil's dower.¹⁴¹ Through the abbot of Thornton Curtis's default, the couple were awarded seisin of a third of two and a half bovates of land, a third of two tofts, a third of forty acres of land and a third of pasture for 300 sheep in Wootton, a third of one bovat and one toft in Goxhill, a third of 140 acres of meadow and half a mark of rent from the mill of Skiter in Goxhill, a third of one sheepfold and two and a half acres of land, and a third of pasture for 800 sheep in the same village. As the abbot had also warranted lands which Sybil and Nicholas claimed, to Walter of Whitton, Henry fitzWilliam, William Wambeis, Thorold the shepherd, and John fitzEdric, they recovered these lands as well.¹⁴²

Although it is impossible to establish whether Nicholas and Sybil actually secured physical possession of all this property, there are signs that they entered some of it. In the first place, there is the absence of subsequent litigation against these men. In the second place, a chirograph was drawn up at Christmas 1219, whereby the couple agreed to lease to Bishop Hugh II of Lincoln, for six years, the third part of the close of Langeneia which they deraigned against the abbot of Thornton Curtis, by reason of Sybil's dower.¹⁴³ Unfortunately, no further clues remain as to how Sybil and Nicholas ultimately fared against the other tenants from whom they sought her dower, although a final concord of January 1220, indicates that they recovered a third of a bovat of land in Goxhill from Andrew Wacelin.¹⁴⁴ Nicholas and Sybil granted the land back to Andrew for an annual rent of 8*d*.

We should avoid adopting too cynical a view of the remarriages of widows. Although both second husbands and the widows they married had something to gain by pursuing dower rights, we cannot neglect the possibility that some widows (and widowers) remarried in search of emotional support and companionship. This latter consideration was especially pertinent when the widow was left with young children. An underage child could not have provided a widow with the sort of backing that

¹⁴⁰ *Ibid.*, 295-296 no. 619.

¹⁴¹ *Ibid.*, 251 no. 532.

¹⁴² *Ibid.*, 343-345 no. 705. The lands recovered from Walter of Whitton included a third of one and a half bovates of land and three tofts, a third of eighteen acres of land and twenty-eight acres of meadow in Goxhill. Those from Henry fitzWilliam included a third of one and a half bovates in Wootton. Those from William Wambeis included a third of one bovat and three tofts in Goxhill. Those from Thorold the shepherd included a third of one toft and three acres of land in Goxhill. Those from John fitzEdric included a third of one toft and two acres of land in Goxhill.

¹⁴³ *RA*, II, 213-14 nos. 511-512.

¹⁴⁴ *AFC*, 156 no. 8a.

Alice, daughter of Robert fitzGilbert of LEGBOURNE, received from her adult sons by Humphrey fitzWalter. Two of her sons, Richard and Harold fitzHUMPHREY, acted as her attorneys.¹⁴⁵

Nevertheless, the late husband's heir might regard the remarriage of his predecessor's widow with trepidation. For members of both the nobility and knightly class, a widow's remarriage meant that her lands, including her dower, passed under her new husband's control for the remainder of her life.¹⁴⁶ The conflict of interests that might arise between the heir and the new husband is demonstrated by a legal case in Angevin Yorkshire, whereby Walter de Percy contested a gift made by his mother, Agnes de Flamville, on the grounds that she had been 'under the rod' of Walter's stepfather, John de Birkin, when it was made.¹⁴⁷

If a child was born to a widow who had remarried, her second husband was entitled to a life interest in her marriage portion and inheritance, according to the 'curtesy' of England, thereby delaying the widow's son and heir from her first marriage access to his mother's property if she predeceased his stepfather.¹⁴⁸ This was a situation which David of Ashby, the son of Amabel de ST. MARTIN from her first marriage, experienced when his mother predeceased his stepfather William de Bussey.¹⁴⁹ In such circumstances, any political misfortune that befell the stepfather and led to the confiscation of lands posed a serious threat to the heir's future fortune. When William de Bussey fell from grace in 1259 as a servant of Henry III's unpopular half-brothers, the Lusignans, he was imprisoned and his lands were confiscated.¹⁵⁰ Fortunately, David of Ashby was able to turn these events to his own advantage and paid a fine of twenty-five marks to recover his deceased mother's inheritance.¹⁵¹

Remarriage might not always have been to a widow's benefit. In 1245, Matilda de BAVENT, a relation of Walter de BAVENT, attempted to regain twenty acres of land, six acres of meadow, and one messuage in Mablethorpe from Herbert of Saltfleetby. Matilda claimed this land as dower which she had by the gift of her first husband, William de Liggesby, but which her second husband, William de Iwarby, now deceased, had demised to Herbert.¹⁵² Herbert recognized Matilda's rights and she

¹⁴⁵ *ELAR*, 200 no. 1134; *CRR*, II, 246, 280, III, 15, 221, 270, IV, 105.

¹⁴⁶ *Glamill*, 135.

¹⁴⁷ Thomas, *Vassals, Heiresses*, 111.

¹⁴⁸ Pollock and Maitland, *The History of English Law*, 416, 420 n. 1.

¹⁴⁹ See Appendix XI (G).

¹⁵⁰ William de Bussey's career was the subject of a paper given by Andrew Hershey at a one-day conference in March 1998 at King's College London on English Society in the Period of Baronial Reform and Rebellion.

¹⁵¹ *HKF*, II, 190; *ERF*, II, 317.

¹⁵² *PRO*, JUST1/482, m. 19.

recovered seisin, while he was left to seek recompense from his warrantor.¹⁵³ The advantages and disadvantages of remarriage had to be balanced against each other: remarriage brought both support and subservience, whereas gentlewomen who remained single and who had secured their dower, *maritagium* and inheritance, enjoyed a certain freedom of action.¹⁵⁴ The analysis of Robert Grosseteste's *Rules* in the preceding chapter clearly demonstrated that widowed noblewomen were expected to fulfil an active role in estate and household management. The same applied on a smaller scale to widowed gentlewomen. They were often active participants in the local land market, seeking to expand and consolidate their estates and look after their family's fortunes. Joan and Edelina DEYN COURT, the widowed co-heiresses of Ralph DEYN COURT, are good cases in point. They recovered former DEYN COURT lands that had been alienated by earlier generations. In 1249, Joan and Edelina in their 'free widowhood' (*in libera viduitate*) released and quitclaimed to the church of Lincoln all their right in a toft and croft in Potter Hanworth, which their grandfather had granted to John of Mere, whose son Joseph had then given it to Lincoln cathedral.¹⁵⁵ This paved the way in the following year, for the sisters to receive the same croft and toft from Henry de Lexington, the dean, and the chapter of Lincoln, in return for a yearly rent of eight shillings of silver.¹⁵⁶ Moreover, in 1244, the sisters had successfully secured the wardship and marriage of Philip, Joan's son by Simon of Martin, with the proviso that should Philip die before he came of age, they would receive custody of his nearest heir, namely his brother Ralph or sisters Agnes and Isabella.¹⁵⁷

As the earlier discussion of dower litigation and remarriage has shown, a widow's relationship with her late husband's heir mattered and this was also true of widows who did not remarry. Single widows who enjoyed an amicable relationship with their adult offspring were in the strongest position. The support that Alice, daughter of Robert fitzGilbert of LEGBOURNE, received from her adult sons has already been noted.¹⁵⁸ Sarah de CAMPANIA, widow of Warin de CAMPANIA, also enjoyed a friendly relationship with her sons. Although Sarah's late husband does not appear to have patronized Kirkstead Abbey, Sarah and her son Henry made a joint grant to the monks of sixty-four acres of land in Dunham *in puram et perpetuam elemosinem*. This gift was witnessed by Sarah's other two sons, Peter and Geoffrey de CAMPANIA, who issued charters of their own, confirming Sarah

¹⁵³ PRO, JUST1/482, m. 19.

¹⁵⁴ Of course, the extent of a widow's freedom of action also depended very much of the size of her lands and how well she was able to support herself financially.

¹⁵⁵ RA, VII, 32 no. 1990; *Thurgarton Cart.*, lxv. See Appendix XI (B).

¹⁵⁶ RA, VII, 32-33 no. 1991.

¹⁵⁷ Edelina was childless and on her death, her lands passed to her sister and then to Philip. See *Thurgarton Cart.*, lxv.

¹⁵⁸ See pp. 114-115 above.

and Henry's grant.¹⁵⁹ A widow's property rights did not need to cause resentment within a closely-knit family.

Widowhood: III. Ecclesiastical Interests

The general decline in the scale of monastic endowments during the thirteenth century, the diversification in patterns of giving, and the small number of surviving wills mean that the role of gentry widows as religious benefactors in this period can be far from easy to detect. Nevertheless, when sufficient evidence survives, the involvement of knights' widows in religious patronage provides a valuable insight into the personal tastes and loyalties of these women, and shows that it was not just aristocratic ladies who were expected to remember the dead. Like their noble counterparts, the widows of Lincolnshire knights often shared their late husbands' concern for the salvation of their souls and the spiritual wellbeing of their lineage. Legbourne Priory, a Cistercian nunnery founded by Berengar Falconer, his brother Robert fitzGilbert of LEGBOURNE and sister-in-law Matilda in c.1148-1166,¹⁶⁰ appears to have been regarded as a family mausoleum. Robert fitzGilbert was buried in the chapter-house (*in capitulo sanctimonialium de Lekeburn*), and just before his interment, William, his son and heir, confirmed all his father's gifts to that house, in the presence of his brothers Harold, Richard and Walter, his paternal uncle Ralph, his mother Matilda, his maternal uncle Richard, and Hawise, Alice and Mahald (aka Matilda), who were probably his sisters.¹⁶¹ The presence of Robert's widow and co-founder shows that she appreciated her responsibility to mourn and commemorate her late husband and another charter acknowledged the possibility that Matilda herself might one day enter Legbourne. In a notification of a settlement that was reached between the priories of Alvingham and Legbourne, it was stated that the nuns of Alvingham shall hold from the nuns of Legbourne, a mill that Robert fitzGilbert had demised to them in fee farm, with the consent of Matilda his wife, 'by such condition that after the decease of the aforesaid Matilda, whether she will have departed from this life or will have received the habit of religion', the nuns of Alvingham will pay an annual rent of twenty shillings.¹⁶²

¹⁵⁹ BL, Cotton. Vesp. MS. EXVIII, ff. 199-199v. Sarah and Henry's charter is immediately followed in the abbey's cartulary by Peter's confirmation and then Geoffrey's confirmation. The last two documents appear to have been copied in the wrong order as Peter's grant confirms the gifts of Sarah, Geoffrey and Henry, while Geoffrey's charter only refers to Sarah and Henry's gift. All three brothers were, however, alive when these documents were issued. Geoffrey and Henry witnessed Peter's confirmation, while Peter and Henry witnessed Geoffrey's confirmation. Unusually, none of these documents referred to Warin's commemoration.

¹⁶⁰ Thompson, *Women Religious*, 224.

¹⁶¹ See *M4*, V, 634-635 no. i. See also Appendix XI (E)

¹⁶² *EEA I*, 45-46 no. 70; Thompson, *Women Religious*, 179. ...*tali condicione quod post discessum predictae Matild(is) seu ex hac vita discesserit seu habitum religionis assumpserit...*

The kin group to which a knight's widow felt that she belonged was often one that incorporated the widow's own blood relations. Although no cartulary survives from the nunnery of Gokewell, a royal charter of confirmation issued by King Henry III in 1257, lists gifts to that house made by Amabel, daughter of Roger de ST. MARTIN, widow of William of Ashby, and her father.¹⁶³ No reference was made to any donations made by Amabel's late husband, implying that this heiress identified herself firmly with her natal family and took advantage of her widowhood to celebrate and reinforce this association. The burial places of widows provide perhaps the best indications of the personal sense of identity of these women, although evidence for these is often hard to come by. The cartulary of Newhouse Abbey does, however, contain a grant made by Frethesaud de Scoteny, widow of Hugh fitzWilliam of WILLOUGHBY, of property in Kettleby Thorpe *cum corpore meo*, for a pittance on her anniversary.¹⁶⁴ Newhouse was a foundation which had been patronized by her Scoteny relations¹⁶⁵ and Frethesaud's choice of this particular site for her final resting place reveals that it was with her natal family that she wanted to be associated in perpetuity. This gift was made in the presence of her second husband, Walter of Killingholme, and confirmed by her son and heir from her first marriage, William fitzHugh of WILLOUGHBY,¹⁶⁶ indicating that they acknowledged her preference.

Political Life

The political upheavals of the thirteenth century touched the lives of both noble and knightly families. It was during this century that the knightly class came to the fore as a political force in its own right. By incorporating knights into the royal judicial machinery, the Angevin legal reforms of the late twelfth century had effectively politicised knights by educating them in government.¹⁶⁷ In 1215, Magna Carta included clauses that were designed to protect the interests of knights and free men as well as barons.¹⁶⁸ Lincolnshire knights and their families were affected by these developments. J. C. Holt's study, *The Northerners*, has drawn attention to the large number of men from this county who rebelled against King John in 1215.¹⁶⁹ As we saw in chapter one, Lincolnshire also saw its fair share of fighting during this civil war.¹⁷⁰

¹⁶³ *CChR* 1226-1257, 476-477.

¹⁶⁴ *RA*, VI, 180.

¹⁶⁵ Newhouse had, for example, been patronized by Lambert de Scoteny (d. 1202). See *MA*, VI pt. ii, 865 n. d.

¹⁶⁶ *RA*, VI, 180.

¹⁶⁷ See Holt, *Magna Carta*, 47-49.

¹⁶⁸ *Ibid.*, 293-294, 301, 304.

¹⁶⁹ Holt, *The Northerners*, 42.

The role of Lincolnshire gentlewomen in these events, as in many other things, is mostly hidden from view. It is, for example, impossible to establish whether knights' wives or widows were influential in directing family allegiances and in determining the course of action taken by their husbands, their children and their other kin. In the fine and pipe rolls, it is their menfolk who appear, paying fines and/or surrendering hostages to return to the king's grace. Of those Lincolnshire knights who were in administrative service during 1218-1219, at least twenty-four were former rebels.¹⁷¹ On the exceptionally rare occasions that the daughters, wives and widows of these men feature in the sources in relation to political affairs, it is as victims of their fathers' or husbands' actions or suspected actions, rather than as actors or aggressors themselves. Most Lincolnshire knights who appeared in the fine rolls in 1216, surrendering hostages to the king as sureties for their good behaviour, handed over sons and sometimes nephews.¹⁷² In the absence of a male heir, however, a daughter satisfied King John just as well. William of BAYEUX was compelled to deliver his eldest daughter (*filia sua primogenita*), Beatrice.¹⁷³ A rebel knight usually lost possession of his lands and faced the payment of a fine for their recovery on his return to loyalty to the king. The repercussions of his actions were felt throughout his family. Nicholas de CHAVINCURT was one Lincolnshire knight who returned to the king's faith on 10 August 1217 and recovered his lands, only to lose them again on 10 October 1217 because he had failed to pay his ransom.¹⁷⁴ During the Lincolnshire eyre of 1218-1219, Nicholas unsuccessfully pursued lands that he had lost during the wars against Bertrada, dowager countess of Chester, Ralph Carbonell, Alan the reeve of Normanby, and Richard of Waddington.¹⁷⁵

¹⁷⁰ See pp. 30-35 above.

¹⁷¹ These were Ralph DEYN COURT (RLC, I, 244; ROF, 570-571), Hervey DARCY (RLC, I, 309, 327; RLP, 166; ROF, 581), Walter de BAVENT (ROF, 588), William of BAYEUX (RLC, I, 250; ROF, 580), Peter of BECKERING (ROF, 588), Alan of BENINGTON (RLP, 161), Peter de CAMPANIA (RLC, I, 309b, 337b), William of CARLTON (*Ibid.*, I, 324), Nicholas de CHAVINCURT (*Ibid.*, I, 289b, 318, 329), John COLEMAN (*Ibid.*, I, 250, 376; ROF, 580), William of HOLBEACH (RLP, 169, 177b; ROF, 593-594), Ralph of HOLLAND (RLP, 169), William de LISURES (RLC, I, 290, 333), Adam of MERLE (PR 1216-1225, 19), William of MORTON (ROF, 589), Herbert de NEVILLE (RLC, I, 338b; ROF, 580), Jerome of NORMANBY (ROF, 580-581), Waleran of ROCHFORD (RLC, I, 374; RLP, 169, 179; ROF, 594), William of ROTHWELL (ROF, 589), Ingelram fitzSIMON (ROF, 579-580), Philip of TIMBERLAND (RLC, I, 333b), Adam of TYDD (RLP, 169), William of WILLOUGHBY (RLC, 323b; ROF, 588), and Roland of WOODHALL (RLC, II, 373b).

¹⁷² Ingelram fitzSIMON, for example, handed over Lambert his son, Herbert de NEVILLE handed over William his son, Jerome of NORMANBY handed over Engeram his son, and Hervey DARCY handed over Richard Berner his nephew. See ROF, 580-581.

¹⁷³ *Ibid.*, 580. Ralph DEYN COURT was expected to hand over his son or daughter (*filius vel filia*) as a hostage. See *Ibid.*, 571.

¹⁷⁴ RLC, I, 318, 329.

¹⁷⁵ RJE, 36 no. 91, 47 no. 116, 52 no. 127, 135-136 no. 299.

Against this background, Nicholas's energetic pursuit of his wife's dower during the same eyre assumes an extra dimension. Perhaps there was a hint of financial desperation in his actions.¹⁷⁶

The political troubles of King Henry III's majority also made a large impact on the fortunes of individual members of the Lincolnshire gentry. Graham Platts's study of Lincolnshire landholders describes how several barons and a number of lesser lords from this county became heavily involved in the baronial movement of reform and rebellion in the late 1250s and 1260s.¹⁷⁷ A number of Lincolnshire knights were among the Disinherited in 1265. Simon de Ver, son and heir of Simon fitzWalter de Ver, was one such knight.¹⁷⁸ Yet once again, when knights' wives and widows appear in the sources in connection with these events, it is primarily as victims of their husbands' actions rather than as political movers in their own right. Amabel de ST. MARTIN's son and heir, David of Ashby, died whilst supporting the baronial cause during the fighting of 1265, leaving Isabella his wife and their children to fend for themselves.¹⁷⁹ Fortunately, Isabella was able to secure a grant from the king on 8 January 1266, for the maintenance of herself and her children. From her late husband's lands in Castle Ashby, Chadstone and Grendon in Northamptonshire, extended at £89 11s. 9d. per annum, Isabella was granted the manor of Chadstone, extended at £23 3s. per annum, to hold for her life as a free tenement.¹⁸⁰ This was supplemented by another grant on 4 March 1266 which stipulated that Isabella should also receive from David's Lincolnshire lands in Blyborough, Butterwick and Messingham, ninety-four acres of arable land in demesne in the town of Blyborough, six acres of meadow, six acres of hard meadow, eight bovates of land held by villeins and five shillings in rent from free tenants, all of which were extended at £7 10s. per annum.¹⁸¹ This rebel's widow at least was not held responsible for her late husband's actions, supporting Paula Dobrowolski's thesis that the widows of lesser rebels were 'relatively well-treated' by the Crown in the aftermath of these disturbances.¹⁸²

¹⁷⁶ Holt has drawn attention to the financial difficulties faced by Roesia, relict of the Lincolnshire knight and rebel, Simon of Kyme, in the 1220s. In 1227, Bishop Hugh II of Lincoln agreed to lend her and her son Philip 200 marks in return for a ten-year lease of two manors in Lindsey. See Holt, *The Northerners*, 248.

¹⁷⁷ Platts, *Land and People*, 28-29.

¹⁷⁸ For two grants of safe conduct issued to Simon de Ver in 1266 for his coming to the king's court to stand trial, see *CPR 1258-1266*, 528, 529. Simon's lands were subsequently granted to John Comyn and his heirs. See *CPR 1266-1272*, 67. See Appendix XI (C).

¹⁷⁹ *HKF*, II, 190. See Appendix XI (G).

¹⁸⁰ *CPR 1258-1266*, 529.

¹⁸¹ *Ibid.*, 564.

¹⁸² See Dobrowolski, 'Women and their Dower', 158-159. See also C. H. Knowles, 'The Resettlement of England after the Barons' War, 1264-1267', *TRHS*, Fifth Series, XXXII (1982), 28.

David of Ashby's rebellion against the Crown at the time of his death was, however, to have a far-reaching and lasting impression upon his descendants' fortunes. David was quickly followed to the grave by his son and heir, Stephen, who left an underage daughter, also named Isabella, as his successor. David's disloyalty at the time of his death appears to have prevented his granddaughter's smooth succession to her inheritance. In 1269, an inquiry was held between Isabella and her guardian John de Warenne, on the one hand, and Alan la Zuche, then in possession of David's former lands in Castle Ashby and Chadstone, on the other, into the status of David of Ashby in the time of the disturbance that ended at Evesham.¹⁸³ As the la Zuche family was still in possession of Castle Ashby in the 1270s and 1280s, it appears that Isabella and her male guardian lost their case on the grounds of her grandfather's rebellion and disinheritance.¹⁸⁴

Conclusion

This chapter has created a similar picture of the lives of knights' daughters, wives and widows to that which emerged for noblewomen in chapter one. The analysis of marriage strategies and property settlements clearly indicates that knights' daughters, like their aristocratic counterparts, often fulfilled important roles as conduits for the transfer of lands and rights to new dynasties on their marriages. Even allowing for the possibility of maternal influence, we cannot disregard the fact that the documentation accompanying matrimonial alliances was normally drawn up by the bride's father and the bridegroom or bridegroom's father.

It is possible to argue that the conjugal households of the Lincolnshire knightly class reinforced gender stereotypes; knights' wives are not so publicly visible as their husbands in the written records of secular and ecclesiastical institutions. Nevertheless, the examination of naming practices and of male and female involvement in litigation, reveals that the property and local connections that a gentlewoman carried to a new husband on marriage could enhance her standing in relation to her husband within the marital relationship. The respect with which a number of knightly husbands regarded their wives is occasionally implied by a couple's decision to patronise religious foundations associated with the wife's, rather than the husband's, kin. It is also suggested by the role that some of these women played, pursuing and defending the couple's interests. Husbands who delegated responsibility to their wives as landholders allowed these women to fulfil a public role by representing them in their absence.

¹⁸³ *CPR 1266-1272*, 472; *HKF*, II, 190, 335. For Alan la Zuche in possession of David's Northamptonshire lands in 1268, see *CR 1264-1268*, 516-517. David's lands in Blyborough, Butterwick and Messingham had been granted to Thomas de Clare. See *CPR 1258-1266*, 564; *HKF*, II, 190.

¹⁸⁴ *HKF*, II, 335.

For knights' wives, like barons' wives, widowhood could be a taxing time. The provision of dower for a dead man's widow had serious financial implications for all connected with that property: for the widows themselves, their late husbands' heirs and their late husbands' tenants. The king's courts provided gentry widows with a means of redressing their grievances and recovering their dower, but the legal procedures also offered recalcitrant defendants a number of potential delaying tactics. Even so, we are struck by the prominence of knights' widows in landholding society and by their continuing influence over their children's lives, and vice versa. It was in a family context that dower worked (or did not work) and widows chose whether or not to remarry.

Chapter 3: Townswomen

This chapter will investigate the occupations and concerns of townswomen in thirteenth-century Lincoln to see whether their experience of womanhood differed from that of women from other social strata. It is now more than half a century since Eileen Power delivered her pioneering lecture on 'The working woman in town and country', in which she compared the role of women in the rural and urban labour markets of Western Europe in the later Middle Ages.¹ In view of the marked increase in the number of women entering the modern workforce during the last twenty years, it is little surprise that there has also been a reawakening of interest in the contribution that women made to the economic life of medieval towns.² Many historians, however, have focused their attentions on the occupational opportunities that were open to women in the post-plague economy, after Western Europe had lost approximately a third of its population to the Black Death in 1347-1350 and was experiencing a profound labour shortage.³ In his study, *Women, Work, and Life Cycle in a Medieval Economy: Women in York and Yorkshire c. 1300-1520* (Oxford, first published 1992, reprinted 1996), P. J. P. Goldberg acknowledged that evidence existed for a study of townswomen before the plague but admitted that such a survey was 'beyond the scope' of his 'present work'.⁴ My survey will attempt to redress the balance by examining whether the earlier evidence for thirteenth-century Lincoln supports the findings of Goldberg's research into women and work in fourteenth- and fifteenth-century York, namely that 'it was not until the economic expansion of the later fourteenth century that women moved beyond the most traditional female tasks, such as spinning and laundering, and outside the market-place'.⁵

Lincoln is suited to such a comparison because, like York, it was a regional capital and an important commercial centre.⁶ Lincoln ranked fourth, behind London, York and Norwich, in the list of towns

¹ Eileen Power's lectures were posthumously edited by M. M. Postan and published as E. Power, *Medieval Women* (Cambridge, first published 1975, reprinted 1989).

² See, for example, *Women and Work in Pre-Industrial England*, ed. L. Charles and L. Duffin (Beckenham, 1985); *Women and Work in Pre-Industrial Europe*, ed. B. A. Hanawalt (Bloomington, 1986); *Sisters and Workers in the Middle Ages*, ed. J. M. Bennett, E. A. Clark, J. F. O'Barr, B. A. Vilen and S. Westphal-Wihl (London, 1989); *Medieval London Widows 1300-1500*, ed. C. M. Barron and A. F. Sutton (London, 1994).

³ For the Black Death's impact on Western Europe, see P. Ziegler, *The Black Death* (London, first published 1969, reprinted 1982); *The Black Death*, ed. and trans. R. Horrox (Manchester, 1994).

⁴ Goldberg, *Women, Work, and Life Cycle*, 86.

⁵ *Ibid.*, 86-87.

⁶ See pp. 17-18 above. In the lay subsidy returns for 1332, Lincoln was assessed as having 435 people who fulfilled a minimum property qualification of six shillings' worth of moveables and were taxpayers. See S. H. Rigby, *Medieval Grimsby: Growth and Decline* (Hull, 1993), 36 (table 1.5).

that paid the largest average aids in King Henry II's reign.⁷ Since King Henry I's reign, the city had enjoyed a monopoly on foreign trade in Lincolnshire. All foreign merchants who wished to trade in the county were required to pay tolls at Lincoln and all Lincolnshire merchants who wished to trade with foreigners were expected to come to the city. Already in the twelfth century, the citizens of Lincoln had procured the farm of the city from the Crown, comprising a grant of all the royal revenues that were traditionally collected within the city and its liberties. By the early thirteenth century, an impressive system of civic administration was in place, which included a mayor, a city council of twenty-four citizens and a common seal.⁸

Although the main commodity exported by Lincoln's merchants was wool, the city was also home to a thriving cloth industry. According to a letter patent of 1348, there had been more than 200 spinners working in Lincoln during Henry II's reign,⁹ and in 1201-1202, Lincoln paid the largest fine out of all the towns for exemption from the assize of cloth, with York in second place.¹⁰ The city's high quality scarlet cloths were famous throughout England and beyond.¹¹ Thirteenth-century Lincoln was also similar to York in another significant respect: it was an important religious centre. Although Lincoln was not, like York, home to an archbishop, it was the cathedral city of a particularly large and prosperous diocese.¹² The city itself had no fewer than forty-six parish churches, forty-three of which were established by the mid-twelfth century, and the *Taxatio Ecclesiastica* of Pope Nicholas IV, compiled in 1291, recorded a grand total of fifty-five religious foundations that held land within the city.¹³ Moreover, although an examination of contemporary attitudes towards, and the roles played by, Lincoln's Jewesses is beyond the scope of my study, it should be noted that the thirteenth-century city was also home to a wealthy community of Jewish financiers.¹⁴

⁷ Hill, *Medieval Lincoln*, 183.

⁸ *Ibid.*, 183-185, 191, 193-7, 293-296. By this date, most large English towns had developed machinery for municipal self-government. See E. Miller and J. Hatcher, *Medieval England: Towns, Commerce and Crafts 1086-1348* (London, 1995), 290-308.

⁹ CPR 1348-1350, 120-121.

¹⁰ E. Miller, 'The Fortunes of the English Textile Industry during the Thirteenth Century', *EcHR*, Second Series, XVIII (1965), 66.

¹¹ *Ibid.*, 65.

¹² See Hill, *Medieval Lincoln*, ch. 6.

¹³ *Ibid.*, 147, 152.

¹⁴ Outbreaks of anti-Jewish feeling, high levels of royal taxation, and anti-usury legislation all took their toll on Lincoln's Jewish community in the second half of the thirteenth century, and in 1291 they were expelled from England with all the other Jews. See Hill, *Medieval Lincoln*, ch. 11; R. C. Stacey, 'Jewish Lending and the Medieval English Economy', in *A Commercialising Economy: England 1086-c.1300*, ed. R. H. Britnell and B. M. S. Campbell (Manchester, 1995), 78-101.

The difference in date between the periods that Goldberg and I have studied largely accounts for the difference in source material between our two surveys. The basis for Goldberg's research into women in York was more than 600 women's wills, the poll tax returns for 1377, 1379 and 1380-1381, and the York cause papers.¹⁵ By contrast, the evidence for Lincoln looks pitifully thin at first sight. I have found just one thirteenth-century woman's will, that of Agnes of Lincoln, which was drawn up in c. 1291.¹⁶ No thirteenth-century taxation records survive for Lincoln with details about the heads of households like those of the fourteenth-century poll taxes for York. Lay subsidy rolls listing Lincoln taxpayers only survive from the beginning of Edward III's reign.¹⁷ There are no extant civic records for Lincoln from the thirteenth century.¹⁸ Fortunately, it is still possible to learn about the lives and occupations of a wide variety of women in Lincoln from two surviving Exchequer accounts for 1292-1293 and 1297-1298, when the city's liberties were suspended.¹⁹ During these years, two royally appointed 'keepers' of the city accounted to the Exchequer for a variety of civic sources of income, such as certain rents, ale-toll, brewers' fines, baxtergeld, bakers' fines, window-toll, *wakebreste* (a fine for breaking the watch), perquisites of the city court, fines for pigs, fines for the probable non-payment of tolls and, in the case of the 1297-1298 accounts, fines for having the freedom of the city.²⁰ This information can be supplemented by charters recording property transactions, the crown's legal records and the hundred rolls of 1274-1275 to create a vivid picture of the world in which individual women worked, lived and moved.

Townswomen and Property

Earlier chapters in this thesis have highlighted the importance of female property rights in shaping women's lives at the highest levels of Lincolnshire society. In view of their findings, an analysis of the property rights enjoyed by townswomen also offers a useful starting point here. A different type of free tenure from the usual military tenure of the countryside could be found in thirteenth-century

¹⁵ Goldberg, *Women, Work, and Life Cycle*, 26-27.

¹⁶ RA, IX, 162-163 no. 2562.

¹⁷ The earliest of these to survive is PRO, E179/135/12.

¹⁸ Proceedings of the Lincoln court of burwarmote only survive from after 1308. See Hill, *Medieval Lincoln*, 291.

¹⁹ See PRO, E101/505/24, 28. The city's liberties were suspended between 1290 and 1301, after a group of leading citizens was indicted for a variety of offences against the city's less wealthy inhabitants. See Hill, *Medieval Lincoln*, 213-216.

²⁰ The first keeper of the city was Robert le Venour, who held office from Easter 1291 until Michaelmas 1297. The second keeper was William Cause, who first accounted to the Exchequer at Easter 1298 and held office until 1301 when the city was granted a new royal charter restoring its liberties. See Hill, *Medieval Lincoln*, 213-214.

English towns, known as burgage tenure.²¹ This form of landholding was peculiar to the boroughs and meant that town land was usually held in return for money rents without any other obligations being imposed on the tenants. Those who held by burgage tenure owed their lords no additional 'feudal' services or dues like relief. They could alienate their land without their lords' permission and might even dispose of it by will.²²

If lands were not devised or bequeathed by will, then local custom directed their descent. Lincoln was the only one of the Danish Five Boroughs where primogeniture (inheritance by the eldest son), rather than ultimogeniture (inheritance by the youngest son), was the general rule.²³ In this respect, inheritance practices in Lincoln were identical to those followed under the common law. Inheritance practices in Lincoln did, however, differ from the common law in the provision that was made for offspring from first and second marriages. Under the common law, the eldest son of a man who had married more than once always stood first in the line to inherit his father's property, even if he had an elder half-sister from an earlier marriage of his father's. If a man left no sons but had several daughters by different wives, they all stood to inherit his lands as co-heiresses.²⁴ Yet according to Lincoln custom, when a man had children from two marriages, the inheritance was split in two so that the children from the first marriage received three quarters of their father's inheritance and the children from the second union received the remaining quarter. If a man had issue by three or more wives, the same division was made between the children of the first and second marriages, and nothing was left for the issue of the third wife and her successors.²⁵

Townswomen whose families belonged to the propertied urban classes were generally expected to marry. Marriage to an heiress or to the daughter of an influential family was just as attractive a proposition for townsfolk as it was for members of other social groups and offered a valuable means of acquiring wealth and forming advantageous alliances. John of Estscarth, for example, acquired two shops in the parish of St. Benedict in Lincoln on his marriage to Matilda, daughter of Richard

²¹ Burgage tenure was a variant of socage tenure. See Pollock and Maitland, *The History of English Law*, I, 291-296, esp. 295-296.

²² *Ibid.*, I, 295-296, II, 330; Platts, *Land and People*, 187; Rigby, *Medieval Grimsby*, 44-45.

²³ The Danish Five Boroughs were: Lincoln, Stamford, Derby, Leicester and Nottingham. See Hill, *Medieval Lincoln*, 293. For the origins and practice of ultimogeniture, see Pollock and Maitland, *The History of English Law*, II, 279-283.

²⁴ *Glanvill*, 77.

²⁵ W. C. Bolland, *A Manual of Year Book Studies* (Cambridge, 1925), 16. Presumably primogeniture operated within these arrangements with, for example, the eldest son from the first marriage inheriting three quarters of his father's/mother's estate and the eldest son from the second match inheriting the other quarter.

Friday.²⁶ Some men may even have regarded marriage as an avenue to acquiring citizenship and obtaining the freedom of the city. Although I have found no women who were styled as citizens in their own right, the earliest prerequisite for a man to become a Lincoln citizen was probably possession of land within the city,²⁷ and that land might be obtained by marriage. A writ issued by King Henry II formally recognised that a man might also become a citizen of Lincoln by residing in the city for a year and a day without anyone challenging his right to do so, and by paying the town's customs.²⁸ By the early fourteenth century, there were four recognised routes to citizenship, all of which were governed by Lincoln's common council: 1) patrimony; 2) serving a seven-year apprenticeship to a freeman; 3) purchasing the right to freedom; and 4) gift by the council (very rare).²⁹ The first of these qualifications had probably been in existence for a long time and it is possible, although difficult to prove, that marriage to the heiress or even the widow of a Lincoln citizen carried with it access to the freedom. Maryanne Kowaleski's study of Exeter in the late fourteenth century uncovered several examples of men who obtained access to the freedom of that town after marrying wealthy merchants' widows.³⁰ There is no reason to suspect that this did not happen before the Black Death.

There are, however, good grounds for exercising caution. A Bristol ordinance of 1344, stated that if the daughter or widow of a burgess married a stranger who was not of free status and respectable, then she would be reduced to the servile status of her husband and the couple would be excluded from the liberty.³¹ There certainly appears to have been a large amount of endogamy among the urban elite of late twelfth- and thirteenth-century Lincoln. Matilda, the elder sister of Adam fitzReginald, an alderman who became Lincoln's first mayor, married James de Holm (or *Flandrensis*), who was bailiff of Lincoln in 1183-1184.³² Adam's second sister, Margery, married another wealthy Lincoln citizen, Richard fitzJames, who had been fined ten marks in 1191 for the attack on the city's Jews and who served as a bailiff with Matilda's son when Adam fitzReginald was alderman in 1201.³³

²⁶ This grant *in liberum maritagium* is mentioned in a charter issued by Matilda's brother, Richard Friday, between Michaelmas 1228 and Michaelmas 1231. See R4, X, 250-251 no. 2917. For the location of parishes and places in Lincoln mentioned in this chapter, see Appendix XII.

²⁷ Hill, *Medieval Lincoln*, 302-303.

²⁸ *The Royal Charters of the City of Lincoln, Henry II to William III*, ed. and trans. W. de Gray Birch (Cambridge, 1911), 2; Hill, *Medieval Lincoln*, 303.

²⁹ These qualifications are listed in Hill, *Medieval Lincoln*, 303.

³⁰ M. Kowaleski, 'Women's Work in a Market Town: Exeter in the Late Fourteenth Century', in *Women and Work in Preindustrial Europe*, ed. Hanawalt, 147.

³¹ *Women in England*, ed. and trans. Goldberg, 209 no. 31.

³² Hill, *Medieval Lincoln*, 385-387. Adam was removed from the mayoralty in 1216.

³³ *Ibid.*, 388-390.

Mary, the daughter of Godwin the rich, a leading Lincoln citizen, married Thomas fitzWilliam of Paris, who served as Adam fitzReginald's bailiff in 1212 and died before 1226.³⁴ The sons and daughters of Lincoln citizens tended to marry the daughters and sons of other Lincoln citizens. Admittedly some Lincoln citizens looked beyond the city for marriage alliances with prominent families in other towns. According to the hundred rolls, the men of Beverley had stopped paying toll in Lincoln during Peter of Paris's mayoralty because Peter's daughter had married Robert Ingelberd of Beverley and, so the men of Beverley claimed, exemption from toll had formed part of the marriage settlement.³⁵

In Lincoln, there was also a marked propensity for artisans to marry into families who practised the same crafts as themselves or crafts that were closely related to their own. A charter of c.1200, for example, records how Legarda, daughter of Bernard (and wife of Andrew the goldsmith), granted Ivo I the goldsmith, her son-in-law, a shop at the entrance to her house in the parish of St. Peter at Pleas, together with her daughter Alice, in free marriage.³⁶ Alice's sister, Richilda, married Robert Battle, and although Robert's occupation is unclear, the son from this marriage, Ivo II, was another goldsmith.³⁷

Marriages involving members of the propertied urban classes were usually arranged by the bride's parents and the bridegroom and/or his parents. Like their knightly and noble counterparts, townsfolk were reluctant to alienate property from their patrimonies as marriage portions. When Alice and Ivo I needed to provide their daughter, Christiana, with a marriage portion on her union with William fitzRoger in c. 1230, they purchased land in the High Street of Lincoln from Richilda and Robert Battle.³⁸ Thomas de Beaufou, citizen of Lincoln, bought land from William, son of Ralph fitzLewin, in order to provide his daughter, another Christiana, with a marriage portion on her marriage to Richard le Bas.³⁹ The grantors of marriage portions at this social level were just as careful to safeguard their own rights as the people above them. When William of Newport and Gilbert his brother granted Robert Badde a messuage with buildings in the parish of St. Nicholas in Newport, in

³⁴ *Ibid.*, 380, 392-393.

³⁵ RH, I, 309, 316; Hill, *Medieval Lincoln*, 212-213.

³⁶ RA, IX, 37 no. 2427.

³⁷ *Ibid.*, IX, 37 no. 2427n., 42-43 nos. 2433.

³⁸ *Ibid.*, IX, 38-41 nos. 2429-2431. Ivo the goldsmith and Alice his wife also granted William fitzRoger a rent of two shillings and six pence from a plot of land in the parish of All Saints, Hungate, which he held from the church of Lincoln. See *Ibid.*, VIII, 155-156 no. 2346.

³⁹ *Ibid.*, VIII, 177-178 no. 2369. For Christiana and Richard's daughter Isabella, see *Ibid.*, VIII, 178-179 no. 2370.

marriage with William's daughter Desirée, they stipulated that neither Robert nor Desirée could sell or alienate the messuage without their consent. If Desirée had no children, the land would revert to the grantors according to the custom of the kingdom (*ut mos regni est et consuetudo*).⁴⁰

If the practices governing female inheritance and the giving of marriage portions in Lincoln were generally similar to those followed under the common law, an important area of difference was dower. A wife whose husband held his land by burgage tenure customarily received half of his property in dower on his death, rather than the third to which the wife of a tenant by military service was entitled.⁴¹ When Ingerith, widow of Robert Spirewhit, sought half of one messuage with appurtenances in Stamford before the justices in eyre in December 1218, the tenant, Peter of Bourne, acknowledged Ingerith's right and 'rendered her dower to her according to the custom of the town' (*reddidit ei dotem suam secundum consuetudinem ville*).⁴²

The dower half had even more serious implications for the financial wellbeing of the late husband's heir than the dower third. In c. 1260, John Gaugy the clerk, son of Robert Gaugy, a former citizen of Lincoln, granted and confirmed to Master Durand of Newport half of all the land that John had inherited through his mother Alice from his grandfather Alan the glover.⁴³ John was prevented from handing over the other half to Durand because it was still in the possession of Richilda, his grandfather's wife. The best that John could do was to promise Durand that when Richilda died, neither he nor his heirs would sell the other half to anyone else other than to Durand and his heirs.⁴⁴ John's anticipation of Richilda's death suggests something of the frustration that could arise from the survival of a long-lived dowager. There is, however, little to indicate that the urban widow's half share was the cause of more disputes and litigation than the common law third.

The effects of another Lincoln custom may well have reduced the amount of litigation over the dower half. *Bracton* observed that if a man sold his inheritance in the city of Lincoln in his necessity, his wife would automatically lose her claim to dower in that property, although she might retain her

⁴⁰ *Ibid.*, IX, 244-246 no. 2658.

⁴¹ See Walker, 'Litigation as Personal Quest', 82.

⁴² *RJE*, 239 no. 509. Stamford was another town, like Lincoln, where burgage tenure was found. For a Lincoln widow claiming half a messuage as her dower, see *ELAR*, 42-43 no. 255.

⁴³ *RA*, IX, 248-250 no. 2661.

⁴⁴ *Ibid.*, IX, 248-250 no. 2661. *Volo etiam et pro me et heredibus meis concedo et me firmiter obligo quod cum domina Richilda relicta predicti Alani in fata decesserit, reliquam medietatem predictae terre que ipsam nomine dotis contingat, uendere dare. inuadiare uel ad terminum alicui alii dimittere quam predicto magistro Durando et heredibus et assignatis suis nullo modo possimus...*

dower rights in land that her husband gaged or leased to someone else for a term of years.⁴⁵ This meant that a Lincoln widow was not able to recover her dower from lands that her husband had alienated during their marriage, as a widow might have been able to under the common law.⁴⁶ The customs of the city of Lincoln also differed from the common law on dower in other respects that might not always have worked entirely to a widow's advantage. Unlike the common law that came to allow a widow dower in all the land of which her husband had been seised in fee at any time while they were married, Lincoln custom only allowed a widow dower in land of which her husband had been seised when he died.⁴⁷ The royal courts endorsed these practices, as Petronilla, widow of John fitzOsbert, discovered when she sought her dower in 1271-1272. The defendants in this case replied that the custom of Lincoln was such that no woman could seek dower from other lands and tenements except those in which her husband had enjoyed seisin when he died, and they pointed out that Petronilla's late husband, long before his death, had demised the tenements that she now claimed. The twenty-four jurors of the city bore witness to this and Petronilla was amerced for making a false claim.⁴⁸

Women and Work

Unlike the nobility and gentry who derived most of their income from the ownership and management of property, a large proportion of townsfolk made their living from trade and manufacturing. Among key features that distinguish a town from the countryside, aside from the high density of population, are the opportunities for different types of 'work' that exist, many of which provide goods and services for the resident population. 'Work' in this sense is defined as a wage-earning or profit-making activity. This section of the chapter will examine the different types of crafts, trades and occupations for which there is evidence in thirteenth-century Lincoln, and the level and nature of female participation.

Since at least the Norman Conquest, Lincoln had possessed a gild merchant, an association of townsmen that regulated business affairs.⁴⁹ Little is known about this organisation's attitude towards women and the sources for the separate craft gilds present a similar problem, as does the influence of their foundation on the roles that women were permitted to play within particular crafts. Fortunately,

⁴⁵ *Bracton*, III, 389.

⁴⁶ See Pollock and Maitland, *The History of English Law*, II, 423.

⁴⁷ *Bracton*, III, 389; Pollock and Maitland, *The History of English Law*, II, 424. This rule seems to have made the stipulation about alienation in necessity rather unnecessary.

⁴⁸ PRO, JUST1/483, m. 79.

⁴⁹ Hill, *Medieval Lincoln*, 186.

the craft gild certificates of 1389 often reveal the dates of foundation of these institutions.⁵⁰

Although most of these officially came into existence in the fourteenth century, the weavers' gild had already been established in the twelfth century,⁵¹ and the fullers' gild was founded in 1297.⁵² The Lincoln gilds for cordwainers, masons, tilers, sailors, and tailors all came into being by 1346.⁵³

An examination of the gild certificates of 1389 suggests that women had been admitted as members to some of Lincoln's craft gilds earlier in their history. The fullers' gild return specifically stated that it had been founded in 1297 'by all the brethren and sisteren of the fullers in Lincoln'.⁵⁴ Likewise the gild returns for the cordwainers, masons, tilers, sailors and tailors referred to gild members as 'brothers' (*fratres*) and 'sisters' (*sorores*).⁵⁵ These particular organisations extended the same spiritual benefits to both sexes. When, for example, a brother or sister of the fullers' gild died, all the other members were expected to purchase bread for distribution to the poor in order to benefit the soul of the deceased. The dean of Lincoln would place four wax lights around the corpse, and the fullers' graceman would offer a penny and the warden a halfpenny from the goods of the gild for a mass.⁵⁶

Nevertheless, David Herlihy's analysis of the gild statutes from Toulouse in France, Barcelona in Catalonia, and the Italian towns of Bologna and Florence, has suggested that female participation in the gilds associated with cloth production at least was declining by the late thirteenth and early fourteenth centuries.⁵⁷ Moreover, Maryanne Kowaleski's and Judith Bennett's study of medieval England's craft gilds found that the sisters were often treated as subordinate, 'second-rank' members.⁵⁸ Men and women were not on an entirely equal footing within Lincoln's gilds on the eve of the Black Death. The statutes of the weavers' gild, drawn up in 1346 and listed in the return of

⁵⁰ Lincoln had at least eleven gilds by the late fourteenth century: archers, barbers, cordwainers, fullers, masons, mercers, minstrels and actors, tilers, sailors, tailors, and weavers. See Platts, *Land and People*, 202; H. F. Westlake, *The Parish Gilds of Medieval England* (London, 1919), 172-174 nos. L150-160. The dates of foundation of the mercers' gild and the minstrels' and actors' gild are not known.

⁵¹ Hill, *Medieval Lincoln*, 188.

⁵² Westlake, *The Parish Gilds*, 173 no. L153. For the fullers' return, see *English Gilds*, 179-182.

⁵³ Westlake, *The Parish Gilds*, 172-174 nos. L152, L154, L157, L158, L159. Westlake gives no date for the foundation of the tilers' gild but it was founded in 1346. See *English Gilds*, 184.

⁵⁴ *English Gilds*, 179; PRO, C47/41/153.

⁵⁵ See PRO, C47/41/152, 154, 157, 158, 159. The tailors' ordinances are printed in *English Gilds*, 182-184. The tilers' ordinances are also printed in *Ibid.*, 184-185, but the editor neglects to mention the 'sisters', although they appear in C47/41/157.

⁵⁶ *English Gilds*, 180-181; PRO, C47/41/153.

⁵⁷ D. Herlihy, *"Opera Muliebria": Women and Work in Medieval Europe* (Philadelphia, 1990), 95-97.

⁵⁸ See M. Kowaleski and J. M. Bennett, 'Crafts, Guilds, and Women in the Middle Ages: Fifty Years after Marian K. Dale', in *Sisters and Workers*, ed. Bennett *et al.*, 11-38, esp. 13-15.

1389, made no reference to any 'sisters' of the gild, speaking instead of 'all the brothers of the said gild' (*omnes fratres dicte gilde*).⁵⁹ Even in those gilds to which both men and women might belong, the returns always described the officials as men.⁶⁰ The fullers' ordinances even included a clause stating that 'none [of the craft] shall work at the wooden bar with a woman, unless with the wife of a master (*nisi cum uxore magistr*) or her handmaid (*vel ancilla sua*)'.⁶¹ This suggests that there was concern within the gild about the propriety of men performing certain tasks alongside women, and implies that female participation in this craft was restricted and subject to strict control. Yet the fact that such a measure was required in the first place is in itself evidence for the employment of women by fullers.

In Lincoln, as in a number of other late medieval towns, such as London and York, it was possible for a married woman to engage in trade separately from her husband as a *femme sole*.⁶² According to a Lincoln custumal that was compiled in 1480-1481, a married woman who followed a different craft from her husband 'schal be charged os a sole woman os touchyng suche thynges os longeth to hyr crafte' and answered independently for her own actions and debts.⁶³ A similar provision had been included in a custumal of 1345 from the neighbouring town of Torksey, suggesting that a similar state of affairs had also probably existed in thirteenth-century Lincoln.⁶⁴ Some townsmen's wives may have experienced a greater freedom from their husbands' authority within marriage than it was possible for the wives of noblemen and knights to enjoy. Nevertheless, evidence for individual married women who acted as sole traders is difficult to come across.

The large numbers of women who feature in the window-toll accounts of the Lincoln keepers' records are particularly striking. In Robert le Venour's accounts for 1292-1293, seventy-two of the eighty-seven payments (83%) of window-toll were made by women,⁶⁵ and in William Cause's

⁵⁹ See PRO, C47/41/160. Although the weavers' gild had been in existence since the twelfth century, no earlier statutes survive.

⁶⁰ A graceman and male wardens normally headed a gild. See, for example, PRO, C47/41/152, 154, 157, 158, 159; *English Gilds*, 182-184.

⁶¹ PRO, C47/41/153; *English Gilds*, 180. It was the fuller's job to cleanse raw cloth and thicken it by beating it in water. The wooden bar mentioned here was part of an instrument called 'the stocks' with which the cloth was beaten. See L. F. Salzman, *English Industries of the Middle Ages* (Oxford, 1923), 221.

⁶² K. E. Lacey, 'Women and Work in Fourteenth and Fifteenth Century London', in *Women and Work*, ed. Charles and Duffin, 41-45.

⁶³ *Borough Customs*, I, 227 (1480-1481 cap. 32). See also *Ibid.*, I, 226 (1480-1481 cap. 31).

⁶⁴ *Ibid.*, I, 227 (1345 cap. 8: *Item dicunt quod mulier mercatrix respondebit cuicumque et debet responderi sine viro suo et potest amittere et recuperare*). Domesday Book had commented on the close association between Lincoln and Torksey. See Hill, *Medieval Lincoln*, 307.

⁶⁵ PRO, E101/505/24, mm. 12-13.

accounts for 1297-1298, forty-five of the sixty (75%) payments were made by women.⁶⁶ The problem is that these accounts do not reveal what window-toll (*wyndogthol*, *wyndoutol*) actually was, although it appears in both documents as a standard payment of four pence. Nor does N. Neilson's study of customary rents in England shed any light on the matter.⁶⁷ Quite a few of the women who paid window-toll, however, have occupational surnames that indicate an involvement in manufacturing or retail occupations. In Robert le Venour's account, for example, there is Elena le (*sic*) Semster, Dulcia Hokester, Dyota le (*sic*) Hocster, Matilda la Mustardmaker, Alice *ancilla Coke*, Alice Mydewyf, Lova la Grateresce, Margaret la Salter, Amabel la Girdeler, Juliana Smeth, Alice le (*sic*) Yermanger (ironmonger), Agnes la Furmager (cheese-maker), Agnes la Taverner and Alice la Mouner.⁶⁸ Perhaps window-toll was a means by which Lincoln's city authorities attempted to license commercial premises or outlets. Goldberg has pointed out that although membership of the franchise was effectively 'a licence to retail' within medieval towns, most urban authorities operated an additional system of regular fines and other payments that allowed those townsfolk outside the franchise to trade within their jurisdiction.⁶⁹ If Lincoln's window-toll was a licensing system for people who had not been admitted to the freedom in this town, then this might explain the large numbers of women who paid it. None of the fifteen people who paid a fine for having the freedom of the city in William Cause's accounts for 1297-1298 were women.⁷⁰ This implies that Lincoln's independent women traders tended to occupy a less privileged position in urban society than their male counterparts. I shall now consider whether this was also reflected in the types of work in which women found employment.

a) The Textile Industry

I have not encountered one woman who traded as a professional fuller, dyer or weaver in her own right in thirteenth-century Lincoln. This is not to ignore the extreme likelihood, indicated by the ordinances of the fullers' guild, that women were active in the textile industry in an informal capacity, behind-the-scenes, as wives, daughters and servants, who assisted their craftsmen husbands, fathers and masters, in the day-to-day running of the family business as an extension of domestic duties. The hundred rolls do, however, refer to one Matilda le (*sic*) Scherher (shearer) who owned a shop near the

⁶⁶ PRO, E101/505/28, mm. 11-12.

⁶⁷ See N. Neilson, 'Customary Rents', in *Oxford Studies in Social and Legal History. Vol. II*, ed. P. Vinogradoff (Oxford, 1910).

⁶⁸ PRO, E101/505/24, mm. 12-13. These accounts provide no indication of the marital status of these women, apart from the unnamed wife of Roger le Barbur. Elena le (*sic*) Semster or la Semester is the only name to occur twice.

⁶⁹ Goldberg, *Women, Work, and Life Cycle*, 50. There does not appear to have been a window-toll in York.

⁷⁰ PRO, E101/505/28, m. 17.

cathedral cemetery.⁷¹ Significantly, a charter records a grant of land in the parish of St. Martin in the High Street that was made in c. 1262-1265 by the dean and chapter of Lincoln cathedral to Matilda, called le Scheyer, widow of Henry le Scheyer.⁷² If, as seems plausible, these two sources refer to the same woman, then here we may have a widow who was involved in a branch of the cloth industry and who maintained her late husband's business after his death. It was probably only as widows that many women possessed the independent financial resources to trade in their own right. Goldberg believes that many of York's independent women weavers in the fourteenth and fifteenth centuries were the widows of weavers.⁷³ The only woman whom I have encountered who engaged in mercantile activities was a widow, albeit a widow assisted by her sons. The hundred roll jurors recalled how Marota, widow of Baudes de Wasiers, and her two sons, Jakemin and Amorett, had transported through the port of Boston more than 100 sacks of wool, valued at eight or nine marks per sack, which had been destined for Flanders, in defiance of an embargo on trade with that region.⁷⁴

There is another reason for the lack of evidence for female involvement in Lincoln's cloth trade. Although Lincoln had been home to a flourishing cloth industry in the reigns of King Henry II and King John, the thirteenth century witnessed a decline in the town's cloth production. This was partially a consequence of Flemish and Italian competition.⁷⁵ The worsening situation was demonstrated by the manner in which the Lincoln weavers, who paid the Exchequer £6 a year for their gild, were in arrears to the tune of £160. 13s. 4d. by 1321.⁷⁶ The state of affairs was so serious that there were no weavers at all who operated within a twelve-mile radius of the city between 1321 and 1331.⁷⁷

As in fourteenth- and fifteenth-century York, women in thirteenth-century Lincoln were more visibly involved in the clothing trade.⁷⁸ Some marketed cloth itself, like Elena la Draper, whose name is

⁷¹RH, I, 312.

⁷² RA, VIII, 139-140 no. 2327. See also *Ibid.*, VIII, 140-141 no. 2328.

⁷³ Goldberg, *Women, Work, and Life Cycle*, 120. John Walton and John Nonhouse, two York weavers, bequeathed their looms to their wives.

⁷⁴ RH, I, 314b, 321, 328.

⁷⁵ See Miller, 'The Fortunes of the English Textile Industry', 64-82.

⁷⁶ Hill, *Medieval Lincoln*, 326; CPR 1348-1350, 120.

⁷⁷ Hill, *Medieval Lincoln*, 326; CPR 1348-1350, 120.

⁷⁸ See Goldberg, *Women, Work, and Life Cycle*, 122-124.

listed in Robert le Venour's *wakebreste* account,⁷⁹ while others, like Elena le (*sic*) Semster, mentioned in Robert's window-toll account, were seamstresses.⁸⁰ Elena's occupation might have been particularly accessible to women, especially single women, because it allowed them to exploit an existing domestic skill and required little initial investment. There is also occupational surname evidence that individual women engaged in the production of specific items of clothing, notably gloves, girdles, and hats.⁸¹ A tailoress, Beatrice la Tayllur, even features in William Cause's accounts.⁸² As we have seen, the gild return of 1389 for the Lincoln gild of tailors, which had been founded in 1328, provides continuing evidence of female participation in this craft.⁸³ Nevertheless, Beatrice le (*sic*) Gaunter, Isolda la Gaunter, Agnes la Gaunt, and Beatrice la Tayllur can all be found paying ale-toll and/or being amerced for breaking the Assize of Ale in the Lincoln keepers' accounts.⁸⁴ Their appearance in this context strongly suggests that the money that these women made from glove and garment production was sometimes insufficient for their needs, and that they were quite prepared to turn to other profit-making activities to supplement their income.⁸⁵ The problem with relying on occupational surnames as evidence that women engaged in specific types of trade is that it is difficult to be certain whether these surnames reflected these women's own occupations, rather than those of their fathers or husbands.

b) The Leather and Metal Crafts

Both Goldberg's study of York and Herlihy's study of Paris uncovered little evidence of independent female involvement in the preparation of leather,⁸⁶ and the same appears to have been true of thirteenth-century Lincoln. Although medieval Lincoln had its own skin market, which was located at the junction of what is now Michaelgate and Spring Hill,⁸⁷ I have come across just one woman,

⁷⁹ PRO, E101/505/24, m. 14.

⁸⁰ PRO, E101/505/24, m. 12.

⁸¹ Beatrice le (*sic*) Gaunter, Isolda la Gaunter, Agnes la Gaunt and Amabel la Girdeler appear in the Lincoln keepers' accounts. See PRO, E101/505/24, mm. 7, 13, 15; E101/505/28, mm. 7, 9. The name Cecily le (*sic*) Hatter appears in an indented list of creditors for stores purchased for the royal household at Lincoln in 1304-1305. See PRO, E101/367/28. The scribes were often indiscriminate in their choice of article (i.e. 'le' or 'la') in front of women's occupational surnames.

⁸² PRO, E101/505/28, mm. 6, 8.

⁸³ So too does that for the cordwainers' gild, founded in 1307.

⁸⁴ PRO, E101/505/24, m. 7; E101/505/28, mm. 6, 7, 8, 9, 10.

⁸⁵ The role of women in the brewing and retail of ale will be examined below.

⁸⁶ Goldberg, *Women, Work, and Life Cycle*, 129-130; Herlihy, "Opera Muliebria", 145 fig. 6.4.

⁸⁷ Hill, *Medieval Lincoln*, 154.

Matilda la Skinner, whose surname suggests that she engaged in this industry and even she brewed as a side-line.⁸⁸ On the other hand, and as Goldberg also found to be the case later in York, women were 'moderately active' in the metal crafts in Lincoln.⁸⁹ The Lincoln keepers' accounts mention two women who might have worked as smiths, Juliana Smeth and Idonea la Feure,⁹⁰ two possible female farriers, Agnes le (*sic*) Mareschall' and Beatrice la Marchall',⁹¹ and one ironmonger, Alice le (*sic*) Yermanger.⁹² In the Lincolnshire lay subsidy roll of 1327-1328, the moveable goods of Lettice la Imemonger, who resided in the parish of St. Peter at Pleas, were valued at forty shillings, thirty shillings above the minimum amount that was liable for taxation.⁹³ A few women may have engaged in highly specialised metal crafts. At the top end of the scale, land held by one Alice *aurifaber* (goldsmith) was mentioned in a final concord of 1206.⁹⁴ The occupational surname of Elena le (*sic*) Latoner indicates that this female was either a worker in or maker of latten, a form of zinc and copper alloy that was used for making vessels and candlesticks.⁹⁵ Matilda la Cutiller, who apparently made her living by selling and/or repairing knives and similar utensils, was mentioned in the hundred rolls in possession of a shop in the Bail of Lincoln.⁹⁶ In the light of the fact that these occupations required special materials, tools and equipment that necessitated some form of financial outlay, it is highly likely, although not demonstrable, that some of these women were widows continuing their husbands' businesses.

c) The Construction Industry

The rebuilding of Lincoln cathedral was a major project that dominated life in the thirteenth-century city. In 1185, an earthquake had destroyed Bishop Remigius's Norman cathedral. Work on a new building was begun in 1192, initially under the guidance of St. Hugh of Lincoln (d. 1200), and continued for over a century until the great central tower was finally finished in c. 1311.⁹⁷ Moreover,

⁸⁸ PRO, E101/505/24, m. 8. For Idonea Parchemyner, who was possibly a maker or seller of parchment, see PRO, E179/135/12, m. 3.

⁸⁹ Goldberg, *Women, Work, and Life Cycle*, 127.

⁹⁰ PRO, E101/505/24, m. 13; E101/505/28, mm. 8, 12.

⁹¹ PRO, E101/505/24, mm. 17, 19.

⁹² PRO, E101/505/24, m. 13.

⁹³ PRO, E179/135/12, m. 2d. The minimum amount liable for taxation was ten shillings.

⁹⁴ *FF (Lincs.)*, 108-109 no. 220.

⁹⁵ PRO, E101/505/24, m. 17.

⁹⁶ *RH*, I, 318.

⁹⁷ Hill, *Medieval England*, 109-112.

following the sieges of 1215-1217, another rebuilding programme was underway at Lincoln castle.⁹⁸ No doubt many of the houses of Lincoln's townsfolk had also been damaged during these military engagements and needed reconstruction. In the light of all this activity, it comes as little surprise to learn that Lincoln was home to a flourishing community of masons, tilers, carpenters and wrights. Goldberg's examination of York found that relatively few women engaged in the building or woodworking trades.⁹⁹ The earlier sources for Lincoln also indicate only a modest level of female activity in these occupations. Female membership of the Lincoln masons' gild, which was founded in 1313, has been commented upon above. The occupational surnames of Alice le (*sic*) Turner, Agnes Wright, Hawise le (*sic*) Tabler (joiner), Matilda Cuppere (cooper) and Joan la Carpenter,¹⁰⁰ indicate that at least some women (or their husbands) were active in the woodworking crafts. Women might even have been involved in the construction not only of buildings but also of ships, hence the surname of Cecily Schippewrythce.¹⁰¹

d) Victualling

The Lincoln material considered so far largely reinforces Goldberg's belief that opportunities open to townswomen in the workplace were quite limited in the century before the Black Death. At the same time, however, Goldberg also observed that the extensive involvement of women in the victualling trades was 'not merely a product of the economic expansion of the later fourteenth century'.¹⁰² In support of this assertion, Goldberg drew on material from Nottingham, Wallingford, Norwich, York, St. Ives and Oxford in order to show the extensive involvement of women in the retail of ale, bread, fish, poultry and dairy products.¹⁰³ The Lincoln keepers' accounts for 1292-1293 and 1297-1298 complement this picture, indicating that the same applied in this town. Ale-toll, a standard fine that was probably for the right to brew, was collected twice a year at Martinmas and Pentecost in Lincoln¹⁰⁴ and the accounts of Robert le Venour and William Cause list the names of those persons

⁹⁸ R. Eales, 'Castles and Politics in England, 1215-1224', in *TCE II*, 35.

⁹⁹ Goldberg, *Women, Work, and Life Cycle*, 130-131. Herlihy also found only a small level of female involvement in these crafts in late thirteenth- and early fourteenth-century Paris. See Herlihy, "*Opera Muliebria*", 145 fig. 6.4.

¹⁰⁰ See *RA*, VIII, 91-92 no. 2281; *Ibid.*, IX, 166-167 no. 2567; PRO, E101/505/24, m. 18; E179/135/12, m. 1d; E101/505/28, m. 12. Matilda Cuppere's moveable goods were valued at 100 shillings in the lay subsidy roll of 1327-1328.

¹⁰¹ PRO, JUST1/486, m. 37d.

¹⁰² Goldberg, *Women, Work, and Life Cycle*, 104.

¹⁰³ *Ibid.*, 104-105.

¹⁰⁴ N. Neilson defined ale-toll as a toll that was paid by brewers for either the right to brew or the right to sell ale, and noted that the distinction between the two rights was not always clear. See Neilson, 'Customary Rents', 35. Sir Francis Hill described the Lincoln ale-toll as 'apparently a payment made by the brewer for the right to brew'. See Hill, *Medieval Lincoln*, 214-215.

who paid ale-toll at these two terms.¹⁰⁵ Their lists reveal a reasonably high level of female participation in ale production in thirteenth-century Lincoln. In 1292-1293, for example, women made twenty-nine (22%) of the 133 payments for ale-toll at Martinmas and fifty-two (44%) of the 119 payments for ale-toll at Pentecost.¹⁰⁶ In 1297-1298, they paid thirty-eight (30%) of the 125 payments at Martinmas and twenty-eight (38%) of the seventy-four fines at Pentecost.¹⁰⁷ The fluctuations in the number of fines at different times of the year might have been a reflection of the seasonal availability of the ingredients needed to make ale.

Judith Bennett's research into brewing in the Northamptonshire village of Brigstock in the fourteenth century, found that the vast majority of brewers in this rural settlement were married women, hence the expression 'ale-wife'.¹⁰⁸ The compiler of Robert le Venour's Lincoln ale-toll account for Pentecost in 1293 paid close attention to the marital status of many of the female payers.¹⁰⁹ Twenty-three (44%) of the fifty-two women on this list were specifically described as wives (e.g. *uxor Johannis Pynell*, *uxor Willelmi de Hakethorne*).¹¹⁰ Of the remainder, only one was specifically described as a widow (*relicta Willelmi le Bercher*), while the marital status of twenty-eight (53%) brewsters was not recorded. From the supplementary ale-toll lists, we learn that one of these twenty-eight women, Matilda of Baxtergate, was also a widow,¹¹¹ and so were possibly some of the others.

Perhaps Lincoln's urban environment provided better opportunities for widowed and single women to establish themselves as commercial brewers than those accessible to Bennett's rural women.¹¹²

¹⁰⁵ The amount payable was 12*d.* at Martinmas and 8*d.* at Pentecost. See PRO, E101/505/24, mm. 7-9; E101/505/28, mm. 6-7, 9. The ale-toll for the Lincoln suburb of Newport was collected separately from that of the city, only once a year, and was a smaller charge of 4*d.* See PRO, E101/505/24, mm. 9-10; E101/505/28, m. 9. The occupational surnames of Wymarca la Braceresce, Sibyl la Braceresse and Juliana la Braceresse in the Newport ale-toll account of 1297-1298 support the idea that ale-toll was a fine for the right to brew.

¹⁰⁶ Women paid seven (33%) of the twenty-one fines for ale-toll in Newport. See PRO, E101/505/24, mm. 9-10. These are my calculations.

¹⁰⁷ Women paid eight (40%) of the twenty fines for ale-toll in Newport. See PRO, E101/505/28, m. 9. These are my calculations.

¹⁰⁸ J. M. Bennett, 'The Village Ale-Wife: Women and Brewing in Fourteenth-Century England', in *Women and Work in Preindustrial Europe*, ed. Hanawalt, 24-25.

¹⁰⁹ The other ale-toll accounts are largely silent on the brewsters' marital status and normally give the women locative or occupational surnames.

¹¹⁰ The names of all the women who paid ale-toll in Robert le Venour's and William Cause's accounts are listed in Appendices XIII and XIV.

¹¹¹ She is described as the widow of William of Baxtergate in the Martinmas ale-toll list. See PRO, E101/505/24, m. 7.

¹¹² Goldberg has identified a number of single women and widows who were brewsters in fourteenth- and fifteenth-century York. See Goldberg, *Women, Work, and Life Cycle*, 112-114.

The appearance of the *ancilla* of John le Longtaverner in the Martinmas ale-toll of 1292,¹¹³ suggests that towns might have offered individual females more occasion, through service, to acquire the necessary experience and amass the necessary resources to engage in large-scale brewing. Yet it is also possible that many of the twenty-eight women whose marital status was not given in the Pentecost ale-toll account for 1293 were married women who were trading as *femme soles*, as they were permitted by the custom of the city of Lincoln. A series of charters in Lincoln cathedral's archives reveals that another of this twenty-eight, Alice of Reepeham, was married at this time to Roger of Wrestlingworth.¹¹⁴

It is perfectly conceivable that the business dealings of those women who were specifically described as wives in the Pentecost ale-toll account of 1292-1293 were still subject to their husbands' authority. Bennett's analysis of brewing fines on Brigstock's manorial court rolls indicated that brewing was only a part-time occupation for many women. Although the same women might appear in the records over two decades, their actual level of involvement in commercial brewing in Brigstock was generally rather intermittent. It was not unusual for an ale-wife to stop brewing for a large period of time and then resume this activity at a later date.¹¹⁵ Judging from the Lincoln ale-toll accounts, a similar situation existed in thirteenth-century Lincoln. In the Martinmas account for 1292, for example, six of the women who paid ale-toll possessed surnames that suggest that brewing was not their sole, or indeed their main, occupation. There was a cooper, a chandler, a falconer, a glover, a gatherer of tolls and a skinner.¹¹⁶ Perhaps this was only to be expected in a trade that to some extent allowed women to exploit a domestic skill.

Nevertheless, a comparison of the names of brewsters who paid ale-toll at Martinmas and Pentecost in 1292-1293 reveals that a substantial number of Lincoln women engaged in commercial brewing all the year round.¹¹⁷ Nineteen of the women who had already paid ale-toll at Martinmas also paid ale-toll at Pentecost.¹¹⁸ Sixteen women who had paid ale-toll in 1292-1293, also paid ale-toll at Martinmas in 1297,¹¹⁹ and fourteen women who had paid ale-toll in 1292-1293, also paid ale-toll at

¹¹³ PRO, E101/505/24, m. 7.

¹¹⁴ RA, IX, 161-164 nos. 2561-2563.

¹¹⁵ Bennett, 'The Village Ale-Wife', 25.

¹¹⁶ See Appendix XIII.

¹¹⁷ These women included some of those brewsters with other occupational surnames.

¹¹⁸ See Appendix XIII.

¹¹⁹ These were: Elizabeth Pulker; Alice of Coleby; Agnes of Navenby; Dulcia in le Styk'; Cecily Vylain; Laurota la Cupper; Matilda la Toller; Oliva of Kelsey; Matilda of London; Hawise (wife of William) of Burton, Matilda of Baxtergate; Alice of Caythorpe; Agnes la Chaundeler; Eva de Balliolo, Hawise Lyword, and Margaret la

Pentecost in 1298.¹²⁰ As a significant town, Lincoln was possibly more able to sustain a professional, full-time community of brewsters than a rural community like Brigstock.

Interestingly, Goldberg's study of York's brewsters suggested that commercial brewing was normally an occupation that was pursued by women from the families of wealthy artisans and traders in the fourteenth century.¹²¹ The charter and lay subsidy evidence for Lincoln indicates that this was also the case in this city before the Black Death. Alice of Reepham, for example, was a woman of property who inherited a tenement in the parish of All Saints in the Bail from her aunt in c. 1291.¹²² Although she later sold her house in that parish to Master Richard de Stretton on 14 February 1323,¹²³ she was apparently residing in the parish of St. Peter in Eastgate in 1327-1328, when her moveable goods were valued at thirty shillings for taxation purposes.¹²⁴ Two other brewsters who paid ale-toll in 1297-1298 were assessed for the same lay subsidy: Alice de Atherby (aka de Hertheby), whose moveable goods in the parish of St. Peter at Arches were worth twenty shillings, and Alice Cause, probably a relation of William Cause, whose goods in the parish of St. Stephen were worth fifteen shillings.¹²⁵

Separate lists of brewing amercements were also included in the Lincoln keepers' accounts for 1292-1293 and 1297-1298.¹²⁶ The question of how these should be interpreted alongside the ale-toll lists is slightly problematic. The fact that both Robert le Venour's and William Cause's accounts record two different sets of amercements, the *Prima Amerciamenta Braciatorum* and the *Secunda Amerciamenta Braciatorum*, indicate that these were also collected twice a year, possibly at the same times as ale-toll

Carter (wife of Philip le Chareter). In the 1292-1293 accounts, Dulcia in le Styk' had only paid ale-toll at Martinmas, and Hawise Lyword and Margaret la Carter (wife of Philip le Chareter) had only paid ale-toll at Pentecost.

¹²⁰ These were: Elizabeth Pulker; Alice of Coleby; Agnes of Navenby; Dulcia in le Styk'; Cecily Vylain; Laurota la Cupper; Oliva of Kelsey; Matilda of London; Hawise of Burton; Matilda of Baxtergate; Alice of Caythorpe; Agnes la Chaundeler; Eve de Balliolo; and Margaret la Carter.

¹²¹ Goldberg, *Women, Work, and Life Cycle*, 113-114.

¹²² For the will of Alice's aunt, Agnes of Lincoln, and agreements reached between Alice and her mother, and Alice and Agnes's husband, see RA, IX, 161-164 nos. 2561-2563. See also pp. 150-152 below.

¹²³ See RA, IX, 165-167 nos. 2565-2567. Alice later leased the house back from master Richard from St. Matthew's day (21 September) 1323 until Easter 1324. See *Ibid.*, 167-168 no. 2568.

¹²⁴ PRO, E179/135/12, m. 3d.

¹²⁵ PRO, E179/135/12, mm. 2, 3. Two women called Alice Cause, who were presumably related, paid ale-toll at Pentecost in 1297-1298, and it is not clear which one was the Alice who appeared in the lay subsidy roll. See PRO, E101/505/28, m. 9.

¹²⁶ See Appendices XIII and XIV.

was levied.¹²⁷ Unlike ale-toll, which was apparently a fixed charge for the right to brew, these brewers' amercements were varying financial penalties¹²⁸ that were presumably imposed on persons who had broken the Assize of Ale, and may have related more to the selling rather than the actual brewing of ale.¹²⁹ The York Civic Ordinances of 1301, for example, stipulated that 'If a brewer or ale-wife sells ale contrary to the assize, by false measure, the measure shall be burned'.¹³⁰

Nearly all the women who were amerced for breaking the Assize of Ale at the first and second amercement of brewers in Lincoln in 1292-1293 had also paid ale-toll at Martinmas and/or Pentecost during the same financial year. Eighteen (95%) of the nineteen women who were listed under the *Prima Amerciamenta* had paid ale-toll at Martinmas, and twenty-three (92%) of the twenty-five women listed under the *Secunda Amerciamenta* had paid ale-toll at Pentecost.¹³¹ A similar impression emerges from William Cause's accounts for 1297-1298. Thirty-three (92%) of the thirty-six women listed under the *Prima Amerciamenta* for this year had paid ale-toll at Martinmas, and twenty-seven (64%) of the forty-two women listed under *Secunda Amerciamenta* had paid ale-toll at Pentecost.¹³² Many of Lincoln's commercial brewsters were involved in the retail of their product.

It is also interesting to observe that nineteen (20%) of the ninety-six amercements for breaking the Assize of Ale in the *Prima Amerciamenta*, and twenty-five (20%) of the 122 amercements in the *Secunda Amerciamenta* were imposed on women in 1292-1293.¹³³ A similar pattern again emerges from William Cause's accounts, where thirty-six (32%) of the 113 amercements in the *Prima Amerciamenta* and forty-two (33%) out of 129 amercements in the *Secunda Amerciamenta* were exacted from women.¹³⁴ These figures could imply that female retailers of ale were less likely than their male counterparts to break the Assize of Ale. Yet they might also indicate that fewer women than men

¹²⁷ This is supported by the layout of William Cause's accounts, which first list the Martinmas ale-toll, then the first amercement of brewers, followed by the Pentecost ale-toll, the ale-toll for Newport and the second amercement of brewers. See PRO, E101/505/28, mm. 6-11.

¹²⁸ The smallest amercement levied on women was 12*d*. and the largest 5*s*. 4*d*. in the 1292-1293 and 1297-1298 accounts. See PRO, E101/505/24, mm. 10-12; E101/505/28, mm. 7-8, 10-11.

¹²⁹ In the thirteenth century, the Assize of Ale regulated the maximum price of ale in England, according to the price of the corn from which malt was made. See R. H. Britnell, *The Commercialisation of English Society 1000-1500* (Cambridge, 1993), 95; *Statutes of the Realm*, I, 200.

¹³⁰ *York Civic Ordinances, 1301*, ed. and trans. M. Prestwich (Borthwick Papers, XLIX, 1979), 11.

¹³¹ See Appendix XIII.

¹³² See Appendix XIV.

¹³³ These are my calculations. See PRO, E101/505/24, mm. 10-12.

¹³⁴ These are my calculations. See PRO, E101/505/28, mm. 7-8, 10-11.

were involved in the regulated selling of ale, just as fewer women than men were commercial brewers who paid ale-toll.

Goldberg noted that female participation in the baking of bread was less extensive in towns than female involvement in brewing.¹³⁵ This is somewhat surprising, when we consider that baking was another domestic task which women might have exploited. Yet Goldberg's study has shown that most of the professional bakers in towns were men.¹³⁶ Bread, like ale, was another staple of the medieval diet, whose production was subject to strict regulation and price fixing from Henry III's reign under the Assize of Bread.¹³⁷ Accordingly, both surviving sets of Lincoln keepers' accounts list payments for baxtergeld, a charge of 12*d.* or 6*d.* that was probably for the right to bake on a commercial basis.¹³⁸ They also contain lists of *Amerciamenta Pistorum*, detailing varying financial penalties that were imposed on individuals who had presumably broken the Assize of Bread.¹³⁹ Unlike ale-toll, baxtergeld and the bakers' fines appear to have been collected just once a year at Martinmas.

Lincoln supported a much smaller number of commercial bakers and bread-sellers than brewers and ale-sellers. In Robert le Venour's baxtergeld account, five (16%) of the thirty-one payments were made by women, and for some unspecified reason, two female bakers, Agnes Ermyn and Matilda de Brendtholl, were charged 6*d.* instead of the 12*d.* collected from their other female colleagues.¹⁴⁰ By the time that William Cause's account was compiled, only three (14%) of the twenty-two payments of baxtergeld were made by female bakers.¹⁴¹ Only one woman, Agnes Ermyn, paid baxtergeld in both accounts, indicating that she was engaged in baking on a long-term basis.¹⁴² Even this woman had more than one string to her bow. In 1297-1298, she paid ale-toll at Martinmas and was amerced under both the *Prima* and *Secunda Amerciamenta Braciatorum*.¹⁴³

¹³⁵ Goldberg, *Women, Work, and Life Cycle*, 111.

¹³⁶ *Ibid.*, 109.

¹³⁷ See Britnell, *The Commercialisation of England*, 94; *Statutes of the Realm*, I, 199-200.

¹³⁸ See PRO, E101/505/24, m. 12; E101/505/28, m. 11.

¹³⁹ See PRO, E101/505. 24, m. 13-14; E101/505/28, m. 12.

¹⁴⁰ PRO, E101/505/24, m. 12. Hawise (wife of) Oliver, Avise Sye and Matilda of Kettlethorpe all paid 12*d.* each.

¹⁴¹ PRO, E101/505/28, m. 11. Rosa of Skinnand and Matilda in the Ding' both paid 12*d.*, although Agnes Ermin paid the lower rate of 6*d.*

¹⁴² PRO, E101/505/24, m. 12; E101/505/28, m. 11.

¹⁴³ PRO, E101/505/28, mm. 6, 7, 10.

Few Lincoln women were amerced for breaking the Assize of Bread. Of the three women who were amerced in 1292-1293, two were amerced twice and one was amerced three times, for separate offences.¹⁴⁴ Unfortunately, the accounts do not reveal how the size of the amercement was related to the nature of the offence. The largest single amercement imposed on a woman in Robert le Venour's account was half a mark. In William Cause's account, just two women, Matilda in the Ding' and Rosa of Skinnand, were amerced for breaking the Assize, and it was Rosa who received the largest financial penalty, being forced to pay 26s. 8d. compared with Matilda's 11s. 8d.¹⁴⁵ Like Lincoln's commercial brewsters, the city's female bakers were also involved in selling their product. In William Cause's account, for example, both Rosa of Skinnand and Matilda in the Ding', paid baxtergeld and were also amerced for breaking the assize of bread.¹⁴⁶ With the exception of Hawise wife of Oliver, however, the marital status of all these women remains a mystery.

Ale and bread were the only consumables whose production and retail were regulated in the Lincoln keepers' accounts. Much less information can be gleaned about the level of female involvement in Lincoln in the preparation and sale of other foodstuffs, and it is necessary to revert to the surname evidence. Alice *ancilla Coke* and Avice Coker are two women whose names occur in the Lincoln accounts for 1292-1293 and 1297-1298, and suggest that they worked as commercial cooks.¹⁴⁷ Women were certainly present in the dairy trades in thirteenth-century Lincoln, if the appearance of Agnes la Furmager (a maker or seller of cheese) and Albreda le (*sic*) Chesemanger is anything to go by.¹⁴⁸ The surname of Agnes Makerel, widow of Thorald of Dunham, implies a connection with the fish trade.¹⁴⁹

As Goldberg found for late medieval York, there is little evidence that many women worked as butchers in thirteenth-century Lincoln. The Lincoln keepers' accounts contain lists of fines for pigs (*De Fimibus pro Porcis*), which were probably paid by people who either kept pigs or had allowed their animals to wander in the streets. In Robert le Venour's account, for example, Alice Cause was fined 4d., Matilda in the Ding' 6d., Avice Sye 12d., and Alice Sye 12d.¹⁵⁰ These pigs, however, were

¹⁴⁴ Matilda of Kettlethorpe was amerced 12d. and 5s., and Hawise wife of Oliver was amerced 2s. and 2s. Avice Sye was amerced 2s., ½m., and 2s. See PRO, E101/505/24, mm. 13-14.

¹⁴⁵ PRO, E101/505/28, m. 12.

¹⁴⁶ PRO, E101/505/28, mm. 11, 12.

¹⁴⁷ PRO, E101/505/24, m.13; E101/505/28, mm. 7, 8, 9, 10. Avice Coker also appears to have been working as a full-time commercial brewster in 1297-1298.

¹⁴⁸ PRO, E101/505/24, mm.13, 20.

¹⁴⁹ RA, IX, 52-53 no. 2444.

¹⁵⁰ PRO, E101/505/24, m. 14.

probably for domestic consumption. Nevertheless, a list of creditors for stores bought at Lincoln by the royal household in 1304-1305 mentions four women who had supplied meat to the kitchen. The first two women were owed relatively small sums of money: Juliana of Kelsey was owed two shillings for meat (*pro carn*) and Matilda of Stow was owed six shillings for the same.¹⁵¹ The other women, Isabel la Pottere of Lincoln and Avice Scot, were owed much larger sums of money (£8 18s. 4d. and £17 8s. 4d. respectively), indicating that they had supplied substantial quantities of meat.¹⁵² These women were probably owners of livestock that was kept in the neighbouring countryside. The services of Margaret la Salter would have been valued by those who wished to preserve certain items of food.¹⁵³

Women regularly appear to have worked as petty traders in thirteenth-century Lincoln. Goldberg characterised the huckster as a general small-scale retailer who catered for those members of urban society who were too poor to buy goods in bulk in the town market.¹⁵⁴ Dulcia Hokester and Dyota le (*sic*) Hocster could both be found paying window-toll in Lincoln in 1292-1293.¹⁵⁵ Other women in Lincoln, such as Lova la Grateresce, Joan la Regrateresce and Dyota la Regrateresce, engaged in regrating, selling small non-standard quantities of food, and also paid window-toll.¹⁵⁶ The marginal place that some of these women occupied in urban society is highlighted by the crown plea rolls. Andrew, the servant of Adam le Chapeleyn, for example, appealed a group of six men, most of whom were bakers' servants, and one woman, Avota le (*sic*) Hokester, of mayhem, and another two men as well as another woman, called Agnes la Huckster, of force.¹⁵⁷ Although Andrew's claims were later dismissed, the fact that such accusations were made against two female hucksters implies that they were perhaps seen to represent an unstable and unpredictable element in urban society.

e) Service

R. H. Britnell has argued that one of the consequences of England's rapid population growth during the thirteenth century was the 'greater availability of wage labour'.¹⁵⁸ In these circumstances, it comes

¹⁵¹ PRO, E101/367/28.

¹⁵² PRO, E101/367/28.

¹⁵³ PRO, E101/505/24, m. 13.

¹⁵⁴ Goldberg, *Women, Work, and Life Cycle*, 117-118.

¹⁵⁵ PRO, E101/505/24, m. 13.

¹⁵⁶ PRO, E101/505/24, m. 13; E101/505/28, m. 11.

¹⁵⁷ PRO, JUST1/486, m. 38d.

¹⁵⁸ Britnell, *The Commercialisation of England*, 104.

as little surprise to find a relatively high level of female involvement in Lincoln's service industry. It has already been noted that the regulations of the fullers' gild expected the wives of masters to employ female servants.¹⁵⁹ Service was yet another occupation that allowed women to exploit domestic skills. The crown plea rolls and Lincoln keepers' accounts mention several *ancille* who had found employment in the households of private individuals. Sadly, these references add little real colour to the daily lives of these women and the terms of their service. The only reason that we learn how Margery, *analla* of Peter de Thornhall, met her death by misadventure is because Alice Gled, the finder of her body, had not attended the court as she had been attached to do so.¹⁶⁰ Even so, the small amount of testamentary evidence suggests that well-to-do Lincoln households employed female servants. The will of Avice de Crosseby, the widow of a Lincoln citizen, listed bequests of clothing and bedding to Isoude, Magota and Margaret, her maids.¹⁶¹ The close bond that had existed between this wealthy widow and the women in her employment was further demonstrated by her decision to bequeath two silver spoons to Elen Cripe, a former servant, and Elen's son.¹⁶² Goldberg's study of servants in fourteenth- and fifteenth-century York indicated that most female servants were young, unmarried girls who had usually left service by their mid-twenties in order to marry.¹⁶³ The female recipients of Avice's bequests indicate that this might also have been the case in thirteenth-century Lincoln.

Laundry, a traditional female occupation, was probably in women's hands in Lincoln. Avice de Crosseby's will also remembered the services of Matilda her laundress, leaving to her a carpet of a close texture.¹⁶⁴ Another laundress, Felicia la Lavender, can be found paying ale-toll at Newport in 1292-1293, demonstrating that she supplemented her income by brewing.¹⁶⁵ As the traditional carers and nurturers of the family, some women were able to find employment as nurses or as midwives. Alice Mydewyf paid window-toll in 1292-1293,¹⁶⁶ and the account for 1297-1298 mentions Elena *nutrix* and Alice *nutrix*.¹⁶⁷

¹⁵⁹ See p. 132 above.

¹⁶⁰ PRO, JUST1/486, m. 37d.

¹⁶¹ *Lincoln Wills*, 6. The full contents of Avice's will are discussed below. See pp. 154-158 below.

¹⁶² *Lincoln Wills*, 6.

¹⁶³ Goldberg, *Women Work, and Life Cycle*, 169-172.

¹⁶⁴ *Lincoln Wills*, 6.

¹⁶⁵ PRO, E101/505/24, m. 10.

¹⁶⁶ PRO, E101/505/24, m. 13.

¹⁶⁷ PRO, E101/505/28, m. 12.

There was one other form of service industry open to women – prostitution. Ruth Mazzo Karras's work on prostitution in medieval England has shown that churchmen were regular clients of prostitutes in towns like Winchester, London and York.¹⁶⁸ Goldberg also made this point, noting the examples of Elizabeth Frowe, named as a procuress for the Austin friars in York in 1424, and Joan Scryvener, named as a procuress for priests and friars in general.¹⁶⁹ A similar potential client-base existed in thirteenth-century Lincoln and poor women might have occasionally turned to prostitution in order to make a living. Although, like most other English towns, Lincoln did not possess any officially recognised and regulated brothels,¹⁷⁰ some townswomen were involved in this line of business. An inquisition of c. 1279, heard how John le Faukunere, a brother of the Malandry almshouse on the outskirts of Lincoln, had taken whores (*meretrices*) back to the almshouse and had sexual relations with them.¹⁷¹ The inhabitants of the Malandry almshouse were lepers and lepers were another section of society from whom the civic authorities were keen to distance themselves. Cap. 11 of the Bristol Ordinances of 1344 classed lepers and prostitutes together as undesirables who were forbidden from residing within the town walls.¹⁷² John le Faukunere's transgression would have appeared particularly serious to his contemporaries, as prostitutes were believed to spread disease. Robert Mannyng of Bourne, who wrote his *Handlyng Synne* in 1303-1317, observed that sleeping with a prostitute was hazardous because they had sex with lepers, while the authors of medieval medical treatises maintained that prostitutes were uninfected carriers of leprosy.¹⁷³

A significant number of priests and clerks in Lincoln fathered illegitimate offspring. John, the parish priest of St. Margaret in Pottergate, in the late twelfth century, for example, had a son, William, and a daughter, Christiana. A charter issued by William in c. 1192-1196, referred to land that their father had given both him and his sister, suggesting that these two children were the products of a long-term relationship that John the priest had with their mother.¹⁷⁴ Churchmen were unable to marry and the women with whom they formed intimate relationships should be regarded as mistresses, rather than prostitutes. Such relationships were far from unusual and, in so far as it is possible to tell, these mistress were tolerated by Lincoln's religious institutions who were quite prepared to accept

¹⁶⁸ R. M. Karras, *Common Women: Prostitution and Sexuality in Medieval England* (Oxford, 1996), 30, 45.

¹⁶⁹ Goldberg, *Women, Work, and Life Cycle*, 152.

¹⁷⁰ The York Civic Ordinances of 1301, laid down that any prostitute who kept a brothel and resided in the city was to be imprisoned by the city bailiff for a day and a night. See *York Civic Ordinances*, 16-17.

¹⁷¹ PRO, SC1/23/186.

¹⁷² *Women in England*, ed. and trans. Goldberg, 210.

¹⁷³ Karras, *Common Women*, 40 & n. 41.

¹⁷⁴ RA, X, 58 no. 2729. See also *Ibid.*, X, 59-62, nos. 2730-2733.

donations from them at the beginning of the thirteenth century. In *c.* 1201, for example, Gunnilda daughter of Rumfar, gave the cathedral some land in the parish of St. John in Wigford for the soul of Aldred (aka Altred) the priest.¹⁷⁵ The nature of Gunnilda's association with Aldred is rendered explicit by a later grant and quitclaim, made by William, the son of Aldred the priest, to the cathedral, which resigned all his right in half the messuage that had belonged to Gunnilda, his mother, in the parish of St. John in Wigford, and confirmed his mother's earlier gift to the same establishment.¹⁷⁶

Moving to Lincoln

We can make cautious steps towards creating a picture of the geographical origins of those female migrants who moved to Lincoln in search of a better way of life by looking at locative surnames. The interpretation of such evidence is littered with potential pitfalls. It is not even possible to make a safe guess as to the proportion of Lincoln's population who were migrants, let alone the proportion who were female migrants. Place-name surnames in themselves disclose nothing about the circumstances in which migrants entered Lincoln, such as whether they arrived on their own or in family groups. More seriously, they also fail to reveal whether people with such surnames were strictly speaking migrants. They might represent the second or third generation of a family who had moved to the city or they might be people who worked, but who did not actually reside, in the city.

Nevertheless, locative surnames are one of the few surviving sources for the migration of men and women to towns. They were used in Peter McClure's study of urban migration to Leicester, Nottingham, Norwich, York and London in the early fourteenth century.¹⁷⁷ One method that McClure employed involved looking at migrants with non-ambiguous place-name surnames. McClure found that over half of these migrants to Leicester (69.5%), Nottingham (55.7%), Norwich (68.9%), and York (51%) came from places within a twenty-mile radius of each of these towns.¹⁷⁸ In the cases of Leicester and Nottingham, however, McClure conducted an additional analysis of all the

¹⁷⁵ *Ibid.*, IX, 63-64 no. 2457.

¹⁷⁶ *Ibid.*, IX, 65-66 no. 2459. See also *Ibid.*, IX, 64 no. 2458.

¹⁷⁷ See P. McClure, 'Patterns of Migration in the Late Middle Ages: The Evidence of English Place-Name Surnames', *EcHR*, Second Series, XXXII (1979), 177-180. McClure also looked at late thirteenth-century surnames but, with the exception of York, did not tabulate his findings because the results were very similar to those for the early fourteenth century. See *Ibid.*, 180. McClure's source material from the late thirteenth and early fourteenth centuries was: the Nottinghamshire subsidy roll of 1327 (Nottingham only); the Nottingham Borough court rolls for 1312-1313, 1314-1315, 1315-1316, 1321-1322 and 1322-1323; the Leicester tallage rolls for 1269-1271, 1286, 1311 and 1318; Norwich deeds of 1285-1300 and 1312-1327; the York Freeman's rolls of 1272-1300, and 1312-1327; and the London subsidy rolls of 1292 and 1319. See *Ibid.*, 174.

¹⁷⁸ London was different; only 21.1% of migrants came from places within twenty miles of this town. See *Ibid.*, 178 (table 4).

place-name surnames that included ambiguous place-name surnames. When a person had a locative surname for which there was more than one possible place of origin, McClure identified it with the town or village that was nearest to the subject of his study (i.e. nearest to Leicester or Nottingham). This second method yielded results that were not too different from the first. McClure noted that 78.4% of migrants to Leicester and 60.1% of migrants to Nottingham came from settlements within twenty miles of these towns.¹⁷⁹

My own analysis of the place-name surnames of women who appear in Robert le Venour's accounts for 1292-1293 has been conducted using both of McClure's methods and suggests a broadly similar pattern of migration for women to Lincoln in the late thirteenth century to the general patterns of combined male and female migration that McClure found for four of his five towns.¹⁸⁰ Robert le Venour's accounts mention seventy-seven women with surnames that indicate that they came from a village or town outside the city of Lincoln and its suburb of Newport.¹⁸¹ Twenty-six (33.7%) of these women have ambiguous place-name surnames and nine (11.7%) have place-name surnames whose place of origin I have been unable to identify altogether. Of the forty-two women with non-ambiguous place-name surnames, thirty-two (76.2%) came from settlements which lay within twenty miles of Lincoln, while four (9.5%) came from more distant villages in Lincolnshire and six (14.3%) came from more distant places in other counties. If the scope of my study is widened to include women with nearest-place surnames, bringing the total number of female migrants under assessment to sixty-eight, forty-seven (69.1%) of these women came from settlements that lay within a twenty miles of Lincoln, while eleven (16.2%) came from more distant places in Lincolnshire, and ten (14.7%) came from more distant places in other counties.

The considerations that persuaded these women to come to Lincoln are hidden from the historian in the surviving sources. The high level of population in the period before the Black Death probably meant that the supply of labour in the countryside was greater than the level of demand, hence the regular appearance of vagabonds in the crown plea rolls for Lincolnshire in 1281-1284.¹⁸² Under such circumstances, towns might have been able to absorb some of the excess men and women, although, as Goldberg has pointed out, it is far from clear how far women were placed at a disadvantage because of their sex.¹⁸³ Recent studies of female migrants in medieval England have suggested that, as outsiders and often poor outsiders at that, these women usually ended up

¹⁷⁹ *Ibid.*, 177 (table 3).

¹⁸⁰ McClure did not distinguish between male and female migrants.

¹⁸¹ See Appendix XV.

¹⁸² See chapter five.

¹⁸³ Goldberg, *Women, Work, and Life Cycle*, 283.

performing low-paid, low-status jobs, if they found employment at all. Karras, for example, has commented that many prostitutes were 'outsiders to the towns they lived in'.¹⁸⁴ In line with these observations, it is striking that nine of the ten women suspected of theft in Lincoln in the Lincolnshire eyre of 1281-1284 had locative surnames, or had husbands with locative surnames, which suggest that they were incomers to the city.¹⁸⁵

Small communities of foreign merchants also resided in the city and were sometimes accompanied by their womenfolk, who also had to adapt to living or staying in a foreign land. The hundred rolls refer to merchants from Flanders, Germany, Cambrai, Douai, Lubeck and Lombardy.¹⁸⁶ Lincolnshire's geographical position in relation to Scandinavia and its historical connections with that part of Europe also ensured that Norwegians and Danes traded in Lincoln.¹⁸⁷ A few foreign women made Lincoln their permanent home. Two charters in Lincoln cathedral's archive make passing references to land in the city which was held by Hawise the Fleming (*Flandrensis*).¹⁸⁸ In 1292-1293, John de Foderby was fined two shillings for bringing an assize of fresh force against Alice, widow of Richard of Arras,¹⁸⁹ and in 1297-1298, Alice was amerced twelve pence for her numerous defaults in the city court.¹⁹⁰ Unfortunately, the evidence for these alien women is too slender to allow an assessment of their exact numbers and their level of integration into Lincoln society. Karras noted that Flemish, Dutch and Low German women were often compelled to resort to prostitution in towns such as Great Yarmouth and London.¹⁹¹ This might well have been the case in thirteenth-century Lincoln. The capture of Aldus (*sic*), wife of Otto the Fleming, by the Lincoln authorities in 1202, while she was in possession of 29*d.* in forged coin,¹⁹² suggests that some foreign women became involved in illicit activities like their English-migrant counterparts.

¹⁸⁴ Karras, *Common Women*, 56.

¹⁸⁵ PRO, JUST1/486, mm. 37-38. Three of these women had acted in partnership with their husbands, supporting the idea that some women might have migrated to towns in male company. These were: Alice, wife of Walter de Hollawe; Margery, wife of Thomas Wanlock of Salisbury; Cecily, wife of Roger of Bottesford. The other women were: Eda of Haddington; Margaret of Nottingham; Sabine de Marshey; Avota, *ancilla* of Cecily Schippewrythce; Beatrice of Warsop; Matilda de Swynesfeld'; and Agnes of Fenton (near Claypole).

¹⁸⁶ Hill, *Medieval Lincoln*, 322.

¹⁸⁷ *Ibid.*, 174-177.

¹⁸⁸ RA, IX, 61-63 nos. 2455-2456.

¹⁸⁹ PRO, E101/505/24, m. 17. The possessory assize of fresh force took the place of the king's assize of novel disseisin in some boroughs, like Lincoln. See Pollock and Maitland, *The History of English Law*, I, 644.

¹⁹⁰ PRO, E101/505/28, m. 13.

¹⁹¹ Karras, *Common Women*, 56-57.

¹⁹² ELAR, 162 no. 980.

The Testamentary Evidence: I. Husbands and Wives

In the absence of contemporary correspondence, surviving wills shed the clearest light on the personal lives and religious interests of individual people, including wives and widows, in medieval English urban society. Yet, as with many other things, men and women did not possess the same rights when it came to making a will and wives were placed at a distinct disadvantage. According to *Glanvill* and *Bracton*, a married woman was only permitted to make a will if she had the consent of her husband.¹⁹³ Unlike other parts of Western Europe, such as most of Northern France, where there was a 'community of goods' between husband and wife, in thirteenth-century England everything that a wife brought with her on marriage was regarded as her husband's property under the common law.¹⁹⁴ Nevertheless, Michael Sheehan's study of English wills has shown that some sort of distinction was often made in practice between a wife's moveable wealth and that of her husband.¹⁹⁵ Furthermore, the Church supported a wife's right to make a will without impediment from her spouse. In 1261, Archbishop Boniface's Lambeth statutes provided that excommunication should be the penalty for anyone who hindered his wife in this design.¹⁹⁶

The only woman's will that was made by an inhabitant of the city of Lincoln in the thirteenth century and is still extant is that of a married woman, Agnes of Lincoln, wife of Reginald ad Fontem, which dates from c. 1291. This document has survived because the property that Agnes bequeathed to her niece, Alice of Reepham, one of Lincoln's brewsters whom we have already met,¹⁹⁷ was later sold to Master Richard de Stretton, a canon of Lincoln, and the deeds relating to this transaction entered the cathedral archive.¹⁹⁸ Agnes of Lincoln's will is short in length but its contents offer an insight into the family relationships that she valued above all others. A charter dated 14 January 1297 referred to her husband's possession of a tenement in the parish of All Saints in the Bail *per legem Anglie* after Agnes's death, revealing that Agnes had given birth to a child at some point during her marriage,

¹⁹³ *Glanvill*, 80; *Bracton*, II, 179.

¹⁹⁴ See Pollock and Maitland, *The History of English Law*, II, 402-405. This applied to both a wife's lands and chattels.

¹⁹⁵ Sheehan cites the will of Agnes de Condet, wife of Walter Clifford, which distinguished between Agnes's share of her husband's goods and her own income and chattels. See M. M. Sheehan, *The Will in Medieval England: From the Conversion of the Anglo-Saxons to the End of the Thirteenth Century* (Toronto, 1963), 237.

¹⁹⁶ *Ibid.*, 238.

¹⁹⁷ See p. 140 above.

¹⁹⁸ For Alice's will, see R4, IX, 162-163 no. 2562. For Alice of Reepham's dealings with Richard de Stretton, see *Ibid.*, IX, 165-167 nos. 2565-2567. Alice leased the house in the Bail that she had granted to Richard de Stretton back from him as his tenant in September 1323. See *Ibid.*, IX, 167-168 no. 2568.

enabling her husband to retain a life interest in his late wife's inheritance after her death.¹⁹⁹ Yet no mention of a child was made in Agnes's will, and the charter of 1297 concerned Reginald's quitclaim of all his right in the tenement he held by curtesy, apart from the solar and cellar, to Alice of Reepham, suggesting that Agnes's issue had predeceased her.²⁰⁰ In the absence of a living heir of her body, Agnes designated her sister's daughter as the heir to her inheritance just as her father had given it to her (*sicut pater meus mihi dedit*).²⁰¹

In addition to bequeathing land, Agnes of Lincoln's will disposed of her clothes and personal effects. She remembered Alice of Reepham's mother, leaving her a tunic of blue cloth, and called to mind other female members of her family. To Margaret, her sister of Bullington (*Margarate (sic) sorori mee de Bolingtona*), who was possibly a nun at the Gilbertine house there, Agnes bequeathed five shillings. Another niece, Elena of Willingham, was to receive a bed (*unus lectus*), and Houota daughter of Reginald, possibly a stepdaughter, was to have a coffer (*una cofera*). Agnes also recalled her female friends. Alice of Owersby was to have a new towel (*unus novus tuall*) and Emma Goddekhafe was to obtain Agnes's hood (*capucium meum*). Agnes seems to have had a particularly close association with the Goddekhafe (or Godknafe) family. A white surcoat (*supertunica de albo*) was left to John Godknafe's maid and John himself was appointed as one of her three executors.²⁰²

Agnes of Lincoln also left instructions for her own burial in the cemetery of the church of All Saints in the Bail.²⁰³ The choice of her local parish church for her place of burial was typical for a woman of her social status and is in keeping with the final resting-places chosen by the female residents of other late medieval English cities and towns. Robert Wood's study of forty-nine widows' wills in London, dating from c. 1393-1415, for example, found that burial was usually in the parish church or churchyard.²⁰⁴ Like later London townswomen, Agnes of Lincoln made bequests to individual religious men, but especially to members of the parish clergy.²⁰⁵ Brother Robert of York received

¹⁹⁹ *Ibid.*, IX, 163-164 no. 2563.

²⁰⁰ *Ibid.*, IX, 162-1634 nos. 2562, 2563.

²⁰¹ *Ibid.*, IX, 162-163 no. 2562. In a charter issued between 1264 and c. 1280, Agnes's father, William the scabbard-maker, had granted her all his land with buildings and appurtenances that was situated in the parish of All Saints in the Bail. See *Ibid.*, 161-162 no. 2560. On 29 January 1291, after Agnes's death, William's other daughter formally quitclaimed all her right in this property to Alice of Reepham and her husband, Roger of Wrestlingworth. See *Ibid.*, IX, 161-162 no. 2561.

²⁰² *Ibid.*, IX, 162-163 no. 2562.

²⁰³ *Ibid.*, IX, 162-163 no. 2562. Agnes also bequeathed her best garment (*melior pannus meus*) to the church with her body, presumably as a mortuary.

²⁰⁴ R. A. Wood, 'Poor Widows, c. 1393-1415', in *Medieval London Widows*, ed. Barron and Sutton, 57.

²⁰⁵ For London examples, see *Ibid.*, 62.

two shillings, while Lord Thomas the chaplain and William 'our clerk' (*clericus noster*) were left three pence each.²⁰⁶

Agnes's three executors were Reginald her husband, who was described as her lord (*dominus meus*), Roger le Baker and the aforementioned John Godeknafe.²⁰⁷ Agnes may not have had very much choice in appointing her husband to this office. The appointment of marital partners as executors was common practice for both husbands and wives.²⁰⁸ The Lincoln cathedral archives contain a number of documents in which we can see widows carrying out their deceased husbands' last instructions. On 22 January 1293, for example, Stephen de Stanham, a citizen of Lincoln, promised to deliver two charters of enfeoffment, together with seisin of the land mentioned in these documents, to Idonea widow of Henry Gopil, Haimo de la Dale and Christiana his wife, the executors of Henry Gopil's will, in return for a payment of twenty-eight marks.²⁰⁹

The wills of Henry de Colebi of Lincoln (1271), Henry Baundeney, the illuminator, of Lincoln (1296) and John Faldecap (1299), another Lincoln man, offer the best points of comparison with Agnes of Lincoln's will and reveal something about the relationships that these three men enjoyed with their wives and children. Unfortunately the damage sustained by Henry Baundeney's will prevents us from learning whether he appointed his wife, Cecily, as one of his executors. It is, however, clear that John Faldecap appointed his wife, Isabella, as his 'principal executrix' (*principalis executrix*), with two male assistant executors, suggesting a high appreciation of his wife's capabilities.²¹⁰ Henry de Colebi also selected his wife as one of his executors, alongside his brother William and one Thomas Makait of Lincoln, although it is not clear whether she was his chief executor.²¹¹ At any rate, Henry de Colebi's wife, Clarice, can be glimpsed elsewhere fulfilling her duties as executor after Henry's death. Between Michaelmas 1272 and Michaelmas 1273, for example, Henry's executors sold all his houses in the parish of St. George that had formerly belonged to William Matefrey (*sic*), in accordance with Henry's will.²¹²

²⁰⁶ RA, IX, 162-163 no. 2562.

²⁰⁷ *Ibid.*, IX, 162-163 no. 2562.

²⁰⁸ Sheehan, *The Will in Medieval England*, 179, 236.

²⁰⁹ RA, VIII, 162-163 no. 2353.

²¹⁰ *Ibid.*, X, 238-240 no. 2906.

²¹¹ *Lincoln Wills*, 1.

²¹² RA, VIII, 74-75 no. 2264.

If the appointment of spouses as executors was fairly routine, the special bequests that Henry de Colebi, Henry Baundeney and John Faldecape, all made to their wives provide perhaps a clearer indication of the existence of affection within these marriages. These special bequests were intended to supplement their widows' dowers and probably the third (or other portion) of the husbands' chattels that was customarily reserved to their wives.²¹³ Henry de Colebi instructed that the residue remaining from the sale of all his livestock and utensils should go to his wife and his son, John.²¹⁴ Henry Baundeney's wife stood to receive the moiety of his land and buildings which he held from the fee of Thomas de Flaxflet, the moiety of a selion of land in the fields outside Lincoln and a share of five houses as her dower. Yet Henry also chose to leave her a life interest in his principal messuage in the parish of St. Rumbold.²¹⁵ John Faldecape made an additional grant of various plots of land in Lincoln, some with buildings, to his wife, Isabella, together with all his brass and wood utensils (*omnia bona et utensilia enea et lignea michi pertinencia*).²¹⁶

Although John Faldecape did not make any specific bequests to Helen, his niece and heir, Henry de Colebi was survived by a son, and Henry Baundeney was survived by a son and a daughter, and both these men remembered their offspring in their wills. The contents of Henry Baundeney's will betray a special concern to provide for his daughter Beatrice, who appears to have been unmarried and was possibly very young. Saving to his wife her dower, Beatrice was to receive all Henry's property that he held from the fee of Thomas de Flaxflet, together with the selion of land in the fields outside Lincoln. After Cecily's death, her dower would revert to Beatrice, who would then hold all this property by hereditary right. Only if Beatrice died without an heir would this property pass to her brother, Osbert, who was exhorted by his father to maintain Beatrice 'if need shall press upon her'.²¹⁷

Unlike Agnes of Lincoln's will, the wills of Henry de Colebi, Henry Baundeney and John Faldecape did not make a wide range of bequests to relations outside their immediate family. The sole lay beneficiary of John Faldecape's will, was his wife, Isabella.²¹⁸ Henry Baundeney left a plot of land to another Henry Baundeney, who was probably a male relation, but made no mention of any nephews, nieces, sisters or male or female friends.²¹⁹ Henry de Colebi's will is the exception in remembering

²¹³ See p. 154 below, and Sheehan, *The Will in Medieval England*, 264.

²¹⁴ *Lincoln Wills*, 1.

²¹⁵ *Ibid.*, 4-5.

²¹⁶ RA, X, 238-240 no. 2906.

²¹⁷ *Lincoln Wills*, 4-5.

²¹⁸ RA, X, 238-240 no. 2906.

²¹⁹ *Lincoln Wills*, 4-5. Henry's will did, however, refer to one Nicholas fitzOsbert, who was possibly his grandson.

close friends as well as his wife and child. He left, for example, a sword from Scotland (*de scotia*) to Thomas Makait, one of his executors, and another sword to John, nephew of Roger fitzBenedict. Henry's son, John, was to receive all his father's books, apart from the book of bucolics that Henry left to one John Bachelor. Matilda Bachelor, possibly John's wife or sister, was to have a red carpet.²²⁰

Like Agnes, however, all three men made arrangements for their burial in the cemeteries of their parish churches. Henry de Colebi was to be buried in the churchyard of the church of the Blessed Mary of Wigford, and both Henry Baundeney and John Faldecape were to be lain to rest in the churchyard of St. Rumbold.²²¹ John de Faldecape also left one stone of wax for candles to be placed around his corpse, and eighteen pence for a gravestone. Agnes's concern for the parish clergy was not a gender-specific characteristic of her will; John bequeathed a gold ring (*unus anulus aureus*) worth twelve pence to his parish priest, and three pence to the parish clerk. A further six pence was set aside for the fabric of St. Rumbold's, and a silver belt in pieces (*una zona membrata de argento*) was donated for the fabric of Lincoln cathedral.²²²

The Testamentary Evidence: II. Widows

Widows were not bound by the same custom as their deceased husbands that reserved a third of a man's chattels to his children and another third to his wife on his death, leaving him with only a third that could be distributed by will.²²³ A widow's will is therefore more likely to provide a better insight into an individual's material wealth than a man's will. The will of Avice de Crosseby (1327) is the only extant Lincoln will that was drawn up by a widow before the Black Death.²²⁴ Avice's late husband was Adam de Crosseby, a former citizen of Lincoln, and her will, which is exceptionally long

²²⁰ *Ibid.*, 1.

²²¹ *Lincoln Wills*, 1, 4-5; R4, X, 238-240 no. 2906. The last two men, living in the same parish, were acquainted with one another. For two charters granting land to John Faldecape, one issued by Roger Bigot and Emma his wife, and another issued by John Cotty, citizen of Lincoln, which were both witnessed by Henry the illuminator, see R4, X, 237-238 nos. 2904-2905.

²²² R4, X, 238-239 no. 2906. John also left four shillings for bread for the poor, and gave the friars Preacher half a quarter of barley. The imperfect condition of the wills of Henry de Colebi and Henry de Baundeney make it difficult to tell whether they had also left pious bequests to local churches and religious orders.

²²³ If a man left a wife but no children or children but no wife, then his moveable goods were to be divided into two and he could dispose of half of his chattels by his will. Only a man with no wife or child could bequeath all his moveable goods. See Pollock and Maitland, *The History of English Law*, II, 348-349. Sheehan argues that a married woman was able to distribute all her chattels like a widow. Bearing in mind the wife's reliance upon her husband's consent and cooperation for her to make a will, this state of affairs should not be taken too much for granted. See Sheehan, *The Will in Medieval England*, 263.

²²⁴ There is an earlier will of a Lincolnshire widow, Christiana, the widow of John fitzWilliam of Bennington (1283), but she did not reside in Lincoln itself. See *Lincoln Wills*, 2-4.

and detailed, offers a fascinating insight this woman's personal piety, her standard of living, the structure of her household and the social circles in which she moved. Although Avice came from a wealthier family than Agnes of Lincoln, she displayed a similar close attachment to her local parish church. Avice left instructions for her own burial inside the church of St. Cuthbert in Lincoln, near her departed husband's tomb, and bequeathed her best surcoat to the same church as her mortuary. The church of St. Cuthbert itself was to receive half a mark of silver for the maintenance of the fabric, a carpet of 'Raynes' for covering the bodies of the dead and a small leaden vessel for repairing the church's gutter or eaves. Avice left one towel of four ells to St. Cuthbert's high altar and a second towel of three ells to the altar of the Blessed Mary.²²⁵

Avice's will also shows that it was not just the widows of the nobility and gentry who felt a spiritual responsibility to commemorate the dead. Avice also made arrangements for a bequest of ten pounds of silver so that three anniversaries would be celebrated in the church of St. Cuthbert for her own soul and that of her late husband. Moreover, her executors were to use the proceeds from the sale of three tenements in the city so that divine offices might be said for Avice's and Adam's souls.²²⁶ St. Cuthbert's church was clearly an institution that had occupied a position of central importance in this widow's life.

Avice de Crosseby intended her funeral to be a grand affair. Forty shillings were set aside so that her friends and neighbours might gather together on the first day after her burial. A mark was reserved so that a final gathering might take place on the seventh day after her burial, which was to be accompanied by the distribution of half a mark's worth of bread to the poor.²²⁷ The support and comfort which the parish clergy had given Avice during her lifetime was remembered with a gift of twelve pence each to Sir William, St. Cuthbert's parochial chaplain, and to Robert de Mumby, the parish clerk.²²⁸ She seems to have had a particularly close friendship with Sir Robert de Brunne, a chaplain to whom she left ten shillings and a goblet, and who acted as one of her executors.²²⁹ Another chaplain, Sir John de Ouneby, received a silver spoon.²³⁰

²²⁵ *Ibid.*, 5-6.

²²⁶ *Ibid.*, 5-7.

²²⁷ *Ibid.*, 6.

²²⁸ *Ibid.*, 5. Robert de Mumby was also bequeathed a board (*tabulam*) that was suitable for making wax tapers.

²²⁹ *Ibid.*, 6-7. The other executor was Hugh le Bower. Richard Gunne of Lincoln was appointed as a standby in case one of Avice's executors did not wish to assume the burden of administering her will.

²³⁰ *Ibid.*, 6.

Although the church of St. Cuthbert occupied a special place in her affections, Avice left gifts to a variety of other local religious foundations. Lincoln cathedral was to be given two shillings for the fabric, and the canons and convent of Barlings Abbey were left one mark. The Austin friars of Lincoln and the canons of St. Leonard of Torksey were to receive half a mark apiece. Neither did Avice forget the friars Minor, the friars Preacher and the Carmelite friars of Lincoln, who were all to receive a smaller sum of twelve pence each. The only individual member of one of these other institutions who was singled out for a personal bequest was Brother Simonde (*sic*) de Baumburgh, a canon of Barlings, who was left one 'pece' or goblet of silver.²³¹

It was not unusual for more than one religious house or order to be remembered in either a man's or woman's will. Matilda Penne, a London widow who worked as a skinner and died in 1392-1393, also chose her local church as her final resting place, but remembered other institutions and persons at those institutions.²³² Nevertheless, Avice de Crosseby's patronage of the Lincoln friars is particularly striking. The friars were associated with towns from an early stage in their history. Dorothy Owen has drawn attention to the popularity of friars as 'preachers', 'confessors', and 'religious directors' in towns and she has also pointed out that friaries were attractive to potential benefactors from the urban classes, such as merchants, because they were relatively inexpensive to found.²³³ As poverty was an ideal to which the mendicants aspired and their rules forbade the possession of more land than was necessary to sustain their way of life, the friars offered an ideal outlet for pious giving for humble people.²³⁴ In remembering the friars, Avice de Crosseby, was following the religious conventions of townsfolk of her day.

Like Agnes of Lincoln, Avice de Crosseby died without any surviving issue. No children were mentioned at all in her will, apart from her godchildren who were bequeathed six pence each.²³⁵ It was Avice's nieces and other more distant female relations who appeared as her main beneficiaries, suggesting that a shared sense of womanhood could exist at this social level. One of her nieces, Alice, wife of John of Broughton, was left ten shillings.²³⁶ Avice de Crosseby was particularly close to the Glenthams, into which her sister Aubrey I had married. Aubrey I was to be the proud recipient of Avice's best mazer goblet, while Aubrey's daughter, Alice, was to receive a furred hood

²³¹ *Ibid.*, 5-6.

²³² See E. Veale, 'Matilda Penne, Skinner (d. 1392-3)', in *Medieval London Widows*, ed. Barron and Sutton, 51.

²³³ Owen, *Church and Society*, 84-85.

²³⁴ See R. W. Southern, *Western Society and the Church in the Middle Ages* (London, first published 1970, reprinted 1990), 286-292.

²³⁵ *Lincoln Wills*, 5.

²³⁶ *Ibid.*, 6.

of green cloth and a matching tunic. Aubrey II of Glenthams, another of Avice's nieces and probably the daughter of Aubrey I, was left Avice's best silver buckle with gems, while the wife of William de Northiby of Glenthams, who was also Avice's niece, was left a less valuable silver buckle. Other members of the Glenthams family whom Avice remembered were Avice, daughter of Isabel of Glenthams, who was bequeathed two carpets and two linen sheets, Alice wife of Roger of Glenthams, the reeve, who was to have Avice's scarlet hood, and a certain widow of Glenthams, who was left Avice's old blue tunic.²³⁷

Avice's will also contains a whole series of bequests to both men and women who were her friends and neighbours rather than relations. William de Hull of Lincoln, whom the lay subsidy roll of 1327-1328 referred to as a fellow resident of St. Cuthbert's parish,²³⁸ was left a leaden vessel for the hands, containing two tubs. William's wife, Alice, was to receive a robe of brown-coloured cloth and a stuffed 'materace', while his daughter, who was also called Avice, was to have three ewes.²³⁹ Alice, daughter of Maud le Verroure, was left a chest without a lock.²⁴⁰ Each of the sons of William of Humberston the younger, whom Avice's will identifies as the owner of some property which bordered on her own, was to have a silver spoon.²⁴¹ Alice, daughter of Alice de Cotum, who was left twenty shillings, one carpet, one feather bed and two linen sheets, seems to have been one of Avice's closest friends, judging from the size of this bequest.²⁴²

Avice de Crosseby's will is also revealing about the size and composition of her household. As we have seen, the will made provision for three maids, Isoude, Magota and Margaret, who were then in Avice's service. Isoude was to have one 'courtepye', a hood of green cloth and a 'materace', Magota was left a blue surcoat with a blue hood, and Margaret was to receive a carpet and a linen sheet.²⁴³ Similarly, Avice's laundress, Matilda, was to acquire a carpet. A former female servant, Elen Cripe, and her son were to have two silver spoons. Yet Avice de Crosseby's household did not just contain

²³⁷ *Ibid.*, 6. The reference to the wife of Roger of Glenthams, the reeve, indicates that Avice had manorial connections. Perhaps Avice, the daughter of Isabel of Glenthams, was named after Avice de Crosseby and was one of her godchildren.

²³⁸ William de Hull's moveable goods were valued at 40s. See PRO, E179/135/12, m. 3.

²³⁹ *Lincoln Wills*, 5-6. Perhaps William's daughter was another of Avice's godchildren.

²⁴⁰ *Ibid.*, 6.

²⁴¹ *Ibid.*, 6. The lay subsidy roll for 1327-1328 referred to one member of the Humberston family who resided in St. Cuthbert's parish, Gilbert of Humberston, whose movables were assessed at £4. See PRO, E179/135/12, m. 3.

²⁴² *Lincoln Wills*, 6.

²⁴³ *Ibid.*, 6. Isoude might not have been the first member of her family who had entered Avice's service; Isoude's mother, Isabel, was also left a belt under the terms of this will.

women.²⁴⁴ The existence of male staff is disclosed by her bequest of an old carpet to John of Essex, who was described as another former servant. Walter, Avice de Crosseby's shepherd, who no doubt tended those ewes that were mentioned above, was to be rewarded for his service with twelve pence.²⁴⁵

The wealth of Avice de Crosseby's bequests did not merely stem from the fact that she was the widow of a well-to-do Lincoln citizen. Avice had paid ale-toll at Pentecost in 1293, revealing that she was one of Lincoln's brewsters.²⁴⁶ This occupation is confirmed by a number of items that she bequeathed in her will. She left her better brass jar to Agnes, wife of William de Thame of Lincoln, another niece, and a brass jar that could hold two gallons to Alice, wife of William le Verrour in Lincoln.²⁴⁷ Perhaps this latter Alice was one of Avice's brewing colleagues. Widows such as Avice de Crosseby must have cut formidable figures in Lincoln society.

Conclusion

A similar picture emerges of the contribution made by women to Lincoln's economy in the late thirteenth century to that which Goldberg hinted at for early fourteenth-century York. A competitive labour market, combined with inheritance practices that favoured male heirs over female, often worked to prevent townswomen from securing access to the crafts. The sisteren of Lincoln's emerging guilds were either excluded from such organisations altogether or relegated to a subordinate level of membership that prevented their appointment as guild officers.

Nevertheless, it would be a serious mistake to underestimate the level of informal, behind-the-scenes, female involvement in Lincoln's crafts. It is not inconceivable that the practical partnership that existed between the townsmen and their wives who managed workshops often worked to undermine notions of female inferiority and subordination within marriage, just as the pressures of estate management also compelled noblemen and knights to delegate certain responsibilities to their wives. Urban widows are occasionally visible continuing their late husbands' trades because they had developed a familiarity with those trades and the procedures of the workshops during their marriages. The half share that town widows could expect to receive in dower, together with any additional property that their late husbands' might decide to bequeath them, meant that this section of female

²⁴⁴ *Ibid.*, 6.

²⁴⁵ *Ibid.*, 6.

²⁴⁶ See Appendix XIII, where she is referred to as the wife of Adam of Crosby.

²⁴⁷ *Lincoln Wills*, 5. Alice, wife of William le Verrour, was also to receive a slashed (*pannet*) robe.

urban society was the most likely to possess the necessary independent financial resources to practise a craft.

Female involvement was relatively widespread in the victualling trades in thirteenth-century Lincoln precisely because they allowed single and married women to exploit existing domestic skills. The late thirteenth century was an age of high population pressure and the opportunities that existed for townswomen to engage in profit-making activities were undoubtedly more restricted than those available to men. Even so, the very fact that migrants of both sexes were attracted to Lincoln in search of work, reveals that thirteenth-century men and women believed, or had heard, that urban settlements could offer them a better way of life than the surrounding countryside.

Chapter 4: Peasant Women

With approximately ninety percent of the total population of medieval England residing in rural areas, peasant women formed the largest section of the female population,¹ and their lives have generated considerable interest among historians. Eileen Power and Rodney Hilton have suggested that an economic partnership existed between husbands and wives in the late medieval countryside, and served to lessen the level of women's subordination to men within 'the basic unit of production', the household.² Barbara Hanawalt's study of accidental death inquests from the late thirteenth to early fifteenth centuries also found the case 'for a partnership within the peasant marital economy... a persuasive one', and has stressed that 'the contributions of both sexes' were important for a peasant family's prosperity and survival.³

Perhaps the most influential study to date of peasant women before the plague is Judith Bennett's work on the Northamptonshire manor of Brigstock, which makes extensive use of manorial court rolls to examine social relations between the sexes. In the light of a possible economic partnership between peasant husbands and wives, Bennett's argument that peasant women remained the 'second-rank constituents' of local courts and the 'second-rank members' of rural society in general, is particularly striking.⁴ Life-cycle was, however, an important modifying force and when women became widows and therefore heads of households in their own right, their role in public life, reflected by their appearances in the manor court, expanded.⁵

Both Hanawalt's and Bennett's studies have received criticism from P. J. P. Goldberg. Goldberg has found fault with Hanawalt for failing to identify regional and chronological trends, and for other methodological flaws.⁶ He also suspects Bennett of being 'perhaps unduly influenced' by the legal content of her manorial court rolls and questions how far the information that they contain can be related to 'wider social realities'.⁷ Goldberg himself favours an approach to research on peasant

¹ Jewell, *Women in Medieval England*, 57.

² Power, *Medieval Women*, 53, 71-75; R. H. Hilton, 'Women in the Village', in *The English Peasantry in the Later Middle Ages: The Ford Lectures for 1973 and Related Studies* (Oxford, 1975), 105; R. H. Hilton, 'Women Traders in Medieval England', in *Class Conflict and the Crisis of Feudalism* (London, second edition, 1990), 132-142. See also D. M. Stenton, *The English Woman in History* (London, 1957), 75-76.

³ B. A. Hanawalt, *The Ties That Bound: Peasant Families in Medieval England* (Oxford, 1986), 154-155.

⁴ Bennett, *Women in the Medieval English Countryside*, 22.

⁵ *Ibid.*, 169-176.

⁶ P. J. P. Goldberg, 'The Public and The Private: Women in the Pre-Plague Economy', in *TCE III*, 74-81.

⁷ *Ibid.*, 82-83.

women that considers the influence of both the economy and the structure of the nuclear family on women's lives.⁸ This study will use the evidence for the thirteenth-century Lincolnshire countryside to throw light on the controversy and to assess how the economic developments of the thirteenth century impinged upon the roles played by single, married and widowed women in manorial society before the Black Death.

R. H. Britnell has argued that the commercial expansion of the late twelfth and thirteenth centuries provided opportunities for men and women to make a living by developing new skills and following new occupational specialisations. The large rise in population increased the pressure on the available land, and more families became dependent upon the market economy for all or part of their livelihoods.⁹ Britnell has, however, also highlighted the growing hardship faced by those at the lowest social levels as peasant holdings became subdivided, competition for employment increased and wage levels fell. Between 1258 and 1320, small holders became particularly susceptible to starvation when food prices were pushed up by frequent harvest failures.¹⁰ It will be valuable to see whether these conditions affected the position of women in peasant households in Lincolnshire.

The peasant women with whom I shall deal come from a variety of economic backgrounds. At the top end of the scale were those women from families who cultivated one or more bovates of land (i.e. over 20 acres) and who became the husbandmen of the later Middle Ages. Further down, were those women whose families held perhaps half a bovat of land, and towards the bottom were women whose families possessed a cottage and perhaps a few acres, and who relied on casual wage labour for their livelihoods. In the thirteenth century, however, a difference in legal theory co-existed, but did not necessarily coincide, with these differences in economic position. A distinction was made between free men (*liberi homines*) and people who were 'personally unfree' or who held land in villeinage (i.e. *villani, nativi, operarii*). Under the common law, free men had access to the king's courts to defend their property rights but villeins were denied access to the king's courts and were themselves regarded as property that could be bought and sold by their lords with their tenements. Villeins were distinguished from the free by their performance of labour services and their payment of certain customary renders (e.g. merchet and legerwite).¹¹ This chapter will therefore also pay close attention to the implications of these legal and tenurial differences for the standing of women within village society.

⁸ *Ibid.*, 83.

⁹ Britnell, *The Commercialisation of English Society*, 79.

¹⁰ *Ibid.*, 125-126; R. H. Britnell, 'Commercialisation and Economic Development in England 1000-1300, in *A Commercialising Economy*, ed. Britnell and Campbell, 21-22.

As the thirteenth-century surveys and censuses that survive for Spalding Priory have been extensively exploited by H. E. Hallam and, most recently, by Ernest Jones,¹² I will focus instead on a selection of other sources that shed light on the lives of peasant women in thirteenth-century Lincolnshire.

Manorial court rolls survive from the late thirteenth century and this chapter will draw on some of the earliest records. The oldest Lincolnshire court rolls are from Crowland Abbey's manors of Langtoft and Baston, for which rolls or fragments of rolls survive for the years 1238 (or 1283), 1252-1253, 1265-1267, 1273, 1290-1292, and 1299.¹³ Particularly useful sets of manorial court rolls survive from the last decade of the thirteenth century and the early years of the fourteenth century from Henry de Lacy's manors of Ingoldmells and Sutton,¹⁴ which can be supplemented by his estate officials' accounts for 1295-1296 and 1304-1305.¹⁵ Earlier material for women in the Lincolnshire countryside can be found in the form of a large number of charters, detailing land transactions.¹⁶ An impression of the moveable goods that the wealthier peasant households possessed, including those headed by widows, can be gleaned from the earliest surviving lay subsidy roll, that for Aswardhurn wapentake in 1225.¹⁷ Peasant widows also feature regularly in the records of the king's courts, where they were able to engage in civil litigation in pursuit or defence of their interests like their noble and

¹¹ See E. Miller and J. Hatcher, *Medieval England: Rural Society and Economic Change 1086-1348* (London, 1978), 111-117; Rigby, *English Society*, 28-37.

¹² See, for example, H. E. Hallam, 'Some Thirteenth-Century Censuses', *EcHR*, Second Series (1957-1958), 340-361; H. E. Hallam, 'Population Density in Medieval Fenland', *EcHR*, Second Series, XIV (1961-1962), 71-81; H. E. Hallam, 'Further Observations on the Spalding Serf Lists', *EcHR*, XVI (1963-1964), 338-350; H. E. Hallam, 'The Agrarian Economy of Medieval Lincolnshire Before the Black Death', *Historical Studies: Australia and New Zealand*, XI (1963-1965), 163-169; E. D. Jones, 'Going Round in Circles: Some New Evidence for Population in the Later Middle Ages', *JMH*, XV (1989), 329-345; E. D. Jones, 'A Few Bubbles More: the Myntling Register revisited', *JMH*, XVII (1991), 263-269; E. D. Jones, 'The Medieval Leyrwite: A Historical Note on Female Fornication', *EHR*, CVII (1992), 945-953; E. D. Jones, 'Death by Document: A Re-appraisal of Spalding Priory's Census Evidence for the 1260s', *NMS*, XXXIX (1995), 54-69; E. D. Jones, 'The Spalding Priory Merchant Evidence from the 1250s to the 1470s', *JMH*, XXIV (1998), 155-175. See also R. M. Smith, 'Hypothèses sur la Nuptialité en Angleterre aux XIII^e-XIV^e', *Annales, Économies, Sociétés, Civilisations*, XXXVIII (1983), 107-136.

¹³ LAO, 6Anc1/1-12. The first roll dates from the abbacy of either Richard of Bardney or Richard of Crowland.

¹⁴ Substantial extracts from the Ingoldmells material are printed in *Court Rolls... Ingoldmells*. For the earliest Sutton rolls, see PRO, DL30/85/1157-1161. This Sutton material relates to the earl of Lincoln's manor in Sutton and not Spalding Priory's tenants in the same vill.

¹⁵ PRO, DL29/1/1-2.

¹⁶ Some of these are calendared in F. M. Stenton, *The Free Peasantry of the Northern Danelaw* (Oxford, 1969), 28-115.

¹⁷ *Rolls of the Fifteenth*, 4-45.

gentle counterparts. Although villeins were denied access to the common law, the crown pleas at least touched on all levels of society, regardless of free or servile status, and regardless of gender.¹⁸

Peasant Women and Property: I. Inheritance

The peasant women of the thirteenth-century Lincolnshire countryside belonged to the section of society whose property rights were most likely to preserve native rather than Continental Norman customs.¹⁹ Rosamund Faith has argued that a relatively weak level of seigneurial control allowed an older native peasant culture to survive in the northern and eastern regions of post-Conquest England, whose continued presence is suggested by partible inheritance practices in these areas.²⁰ Although the lands of those free tenants who held by military service descended by primogeniture after 1066, primogeniture was slower to take root in peasant holdings and never totally superseded older inheritance customs.²¹ Surviving partible inheritance practices in twelfth- and thirteenth-century England were closely connected with socage,²² a form of tenure that was associated with sokemen, remnants of a type of pre-Conquest tenant who could still be found in the east Midlands, including Lincolnshire.²³ George Homans's research singled out the Lincolnshire villages of Sutton and Fleet, on the northern edges of the fens, as prominent places where partibility was followed in peasant tenements in the thirteenth century.²⁴

But how did these different inheritance customs affect the position of women as inheritors of property? Both primogeniture and partibility favoured male heirs over female heirs and daughters were residual heirs in the sense that they only inherited in the absence of sons.²⁵ What particularly stands out from the evidence is the fact that single young peasant women can be found attending manor courts in person and securing entry to tenements. When William ad Spinas died in 1314, Agnes and Lucy, his sisters and nearest heirs, attended the manor court of Ingoldmells, and asked to

¹⁸ The crown plea material is particularly good for looking at the lower strata of village society and will be dealt with in chapter five.

¹⁹ For the continuing use of Anglo-Saxon and Scandinavian personal names by Lincolnshire peasants in the early thirteenth century, see Stenton, *The English Woman*, 76-78.

²⁰ R. J. Faith, *The English Peasantry and the Growth of Lordship* (London, 1997), 136-137. See also R. J. Faith, 'Peasant Families and Inheritance Customs in Medieval England', *AgHR*, XIV (1966), 77-95.

²¹ Faith, *The English Peasantry*, 256-257.

²² *Ibid.*, 136; Pollock and Maitland, *The History of English Law*, II, 268-270.

²³ See Platts, *Land and People*, 60-62; Stafford, *The East Midlands*, 158-161.

²⁴ G. Homans, *English Villagers of the Thirteenth Century* (Cambridge, Massachusetts, 1942), 116.

²⁵ *Ibid.*, 110.

be accepted to pay relief, and performed fealty, for the messuage and curtilage of free land that their brother had held in Skegness.²⁶ There no signs of any reluctance on the part of the lords even to allow the admission of unmarried villein women to their late fathers' holdings, which is perhaps surprising in the light of the labour services that might be owed from unfree tenements. On the death of William fitzRobert of Loveden in 1305, William's four daughters, Geva, Agnes, Alice and Joan, all attended the manor court of Sutton and successfully sought admittance to their father's *terra nativa* for a heriot of 10s.²⁷ In the following year, Emma, Agnes and Katherine, the three daughters of Simon fitzSarrah, secured their father's holding of seven perches of land held in villeinage *secundum consuetudinem manerii* in return for a heriot of 6d.²⁸ It is frustratingly unclear how long these peasant heiresses held their inheritances as single women before they married and came under their husbands' authority.

Peasant Women and Property: II. Marriage

Like noble and knightly families, the families of the more substantial peasant cultivators were also conscious of their responsibility to provide non-inheriting females with marriage portions, usually in the form of lands or goods. Even marriages at this social level were often subject to parental involvement and arrangement. A charter issued in c. 1210 recorded a grant by Wigot of Holme to Siwat fitzHugh of Hallington, of an acre and a half of meadow at the north end of his strip (*ad north partem dayle mee*) in Saltfleetby in free marriage with Edeyt, his daughter.²⁹

The necessity of providing daughters with marriage portions could place a heavy burden on both male and female smallholders. When the justices in eyre were at Lincoln in 1218, they dealt with the case of Leviva, daughter of Hacke, who claimed that she had been unjustly disseised of her free tenement in Swineshead by Robert fitzWalter of Casewick. It was found that Robert had indeed disseised her of one messuage and three acres of land, but not of another two and a half acres that Leviva had given Robert with her daughter in marriage.³⁰ Here a woman with barely enough land to support herself had been obliged to settle nearly half her holding on her daughter, only to have her lands taken over by her grasping son-in-law. It is little surprise that when Leviva was amerced for bringing her assize of novel disseisin against Robert for the whole tenement, it was recorded that she

²⁶ *Court Rolls... Ingoldmells*, 35.

²⁷ PRO, DL30/85/1157, m. 2.

²⁸ PRO, DL30/85/1157, m. 11.

²⁹ Stenton, *The Free Peasantry*, 65-66 no. 102.

³⁰ RJE, 18-19 no. 52.

was very poor (*pauperrima est*).³¹ Another case that had been heard during an earlier eyre, suggests that one way in which families attempted to get around the problem of breaking up the family holding was by allowing the son-in-law to reside with the bride's family. In this instance, the dispute was over the twentieth part of one carucate of land (approximately eight acres of land) in Leake that was claimed by Alan fitzGodiva as his mother's marriage portion. Alan's maternal uncles denied Alan's rights by claiming that Alan's father had no entry to that property 'except that after his father took to wife his mother... they [i.e. Alan's parents] remained in the house of their [i.e. Godiva's and her brother's] father'.³²

Not all endowments of single women were associated with or made at the time of marriage. The granting of houses in particular indicates that these endowments also served the dual or even primary purpose of easing overcrowding within a family's main residence. When Alan Brugge resigned half an acre of land and a cottage in the manor court of Ingoldmells to his daughters, Matilda and Agnes, they were to have the tenement 'for their whole life, or to which of them shall live the longer and shall not be married'.³³ The appearance of single women, other than widows, who were in possession of their own tiny parcels of land, implies that a peasant woman's age at her first marriage might well have been higher than that of an aristocratic woman, unless she was an heiress to a substantial holding.³⁴ Economic considerations might often have militated against an early age of marriage when there were insufficient resources, landed or otherwise, to set up and support a new family unit. Indeed, it is likely that some peasant women never married at all. Jones has roughly estimated that 71% of all servile peasant women married on Spalding Priory's manor of Moulton in the second half of the thirteenth century, leaving 29% who did not.³⁵

Economic reasons might also have determined whether or not a woman was able to exercise a choice in the selection of her marriage partner. Judith Bennett's examination of the *Liber Gersumarum* of Ramsey Abbey was one of the first studies to draw attention to the numbers of unfree peasant

³¹ *Ibid.*, 18-19 no. 52.

³² ELAR, 71-72 no. 414. ...*nisi quod postquam pater suus duxit in uxorem matrem suam... ipsi remanserunt in domo [patris eorum]*... This case was settled by a compromise agreement.

³³ *Court Rolls... Ingoldmells*, 25.

³⁴ Using the Spalding Priory censuses for Moulton and Weston in 1269, Richard Smith has suggested that peasant women often married in their mid-twenties. See Smith, 'Hypothèses sur la Nuptialité', 123.

³⁵ Jones, 'Death by Document', 64.

women who paid their own merchets.³⁶ A similar picture emerges from an analysis of the thirty-four fines that were paid for the lord's permission for a woman to marry in the surviving court rolls from Sutton for 1305-1306, 1308-1310 and 1312-1314.³⁷ Ten (29.4%) of these fines were paid by the brides themselves, three of whom were described as widows. Another ten (29.4%) were paid by the brides' parents (eight by fathers and two by mothers), nine (26.5%) were paid by the brides' husbands-to-be, and just five (14.7%) were paid by the brides' brothers. Of the thirteen merchets recorded in the fragmentary rolls from the manor of Ingoldmells for the years 1291-1315, seven (53.8%) were paid by the brides themselves, four (30.8%) were paid by the brides' fathers, and just two (15.4%) were paid by the bridegrooms.³⁸

Although it is extremely difficult to prove, there might well be something in Bennett's hypothesis that female employment as wage-labourers holds the key to explaining why so many women paid their own merchets.³⁹ Service on the estates of the local nobility, gentry and lesser free tenantry might have allowed some peasant women to amass their own resources away from home, and exercise some independence when it came to choosing a future spouse.⁴⁰ When reviewing Bennett's evidence for seasonal variations in the numbers of merchet payments, Goldberg made a connection between the timing of merchet payments and the similar timing of the main annual hirings of servants. Goldberg suggested that the coincidence between the two could indicate that some of the women (and men) getting married were former servants whose annual contracts had come to an end.⁴¹ The same thing may have happened in Lincolnshire. The Sutton roll for 1313-1314 shows that merchet payments on this Lincolnshire manor rose in October, after the harvest hirings: six of the thirteen merchets were entered on the roll for the court that met on the Monday after the feast of St. Luke the Evangelist (18 October) in 1313.⁴² At the very least, the payment of merchets by peasant women themselves shows that they had access to cash, and had presumably accumulated savings of their own.⁴³

³⁶ J. M. Bennett, 'Medieval Peasant Marriage: An Examination of Marriage License Fines in the *Liber Gersumarum*', in *Pathways to Medieval Peasants*, ed. J. A. Raftis (Toronto, 1981), 193-246. Merchet was a fine for the lord's permission for a woman to marry.

³⁷ See Appendix XVI.

³⁸ See Appendix XVII.

³⁹ Bennett, 'Medieval Peasant Marriage', 207-208.

⁴⁰ *Ibid.*, 207-208, 213-214.

⁴¹ Goldberg, *Women, Work, and Life Cycle*, 212-213; Bennett, 'Medieval Peasant Marriage', 230-231.

⁴² PRO, DL30/85/1161, mm. 11-11d.

⁴³ Leyser, *Medieval Women in England*, 121.

Liability to merchet was an important mark of villeinage in the thirteenth century and both its function and origins have provoked considerable debate. On the one hand, Eleanor Searle has argued that merchet offered a means of 'controlling manorial land tenure and inheritance and of taxing peasant dowries for the lord's benefit'.⁴⁴ She cites a formulary used by the manor courts of St. Albans that apparently renders the connection between merchet and dowries explicit, and instructs the steward to discover 'whether any bondman's daughter has married without leave... and what her father has given with her by way of goods'.⁴⁵ Searle also believes that the origins of merchet lay 'in the seigneurial control of women's marriages at all levels of society in the late eleventh and twelfth century'.⁴⁶ On the other hand, Rosamund Faith's examination of the social context of peasant wedding customs has suggested that merchet was 'more "about marriage" and less "about property"' than Searle is ready to acknowledge.⁴⁷ Moreover, Paul Brand and Paul Hyams are not happy with Searle's 'honorial analogy' and have developed their own theory that merchet developed out of the ways in which lords sought to deal with the problem of *formariage*, which occurred when a villein woman married outside the manor. When this happened, there was a danger that the woman would go to live, work and bear children on her husband's property, to the inevitable derogation of her original lord's interests.⁴⁸ Brand and Hyams attribute the custom's generalisation so that it also came to apply to marriages which took place within the same manor, to the development of the common law of villeinage and the royal justices' need for classificatory tests to determine who should have access to the king's courts.⁴⁹

The connection that Searle makes between merchet and peasant dowries sounds plausible, but on the earliest court rolls for the Lincolnshire manors of Ingoldmells and Sutton, merchet entries that record

⁴⁴ E. Searle, 'Seigneurial Control of Women's Marriage: The Antecedents and Function of Merchet in England', *P&P*, LXXXII (1979), 6.

⁴⁵ *Ibid.*, 20-21.

⁴⁶ *Ibid.*, 6-7.

⁴⁷ R. Faith, 'Debate: Seigneurial Control of Women's Marriage', *P&P*, XCIX (1983), 137-139.

⁴⁸ P. A. Brand and P. R. Hyams, 'Debate: Seigneurial Control of Women's Marriage', *P&P*, XCIX (1983), 130-131.

⁴⁹ *Ibid.*, 131-133. The emergence of the common law of villeinage is discussed in greater detail in P. R. Hyams, *King, Lords and Peasants in Medieval England: The Common Law of Villeinage in the Twelfth and Thirteenth Centuries* (Oxford, 1980).

the amount and type of property that a bride carried to her new husband are in the minority.⁵⁰ A more convincing argument is that the amount of merchet you had to pay was determined by the amount of land you held in villeinage.⁵¹ There was certainly no standard fixed payment for merchet in the Ingoldmells and Sutton material. Payments at Ingoldmells varied from 6*d.* paid by Matilda, daughter of Alan at Grange, to the 26*s.* 8*d.* paid by Alan fitzStephen *ad Curiam Aule* to have Matilda, daughter of Alan Galewayth, as his wife.⁵² At Sutton the payments ranged from 12*d.* paid by Edusa, daughter of Norman Elred', to £10 paid by Thomas de Mora for the marriage of Joan, *nativa domini*, the daughter and heiress of Geoffrey Kydewyn.⁵³ The large size of Thomas de Mora's fine can be explained by the fact that Thomas was not just paying for permission to marry Joan but was also purchasing the custody of the extensive lands that she had inherited from her father.⁵⁴ According to an entry on the Sutton court roll for April 1309, Joan's inheritance comprised one messuage with thirty acres, one rood and thirty perches of land.⁵⁵

Jones's analysis of the Spalding Priory merchet evidence, however, has suggested that there was no direct correlation between the size of a family's holding and the level of merchets paid on this priory's Lincolnshire estates.⁵⁶ An alternative hypothesis might be that a family's or, in circumstances when merchet was paid by the marriageable woman herself, a bride's general level of wealth mattered. Perhaps merchet was in some sense means tested so that any income that a family derived from rural crafts or from other commercial or service occupations was taken into consideration alongside the value of their lands and moveable goods.

The levying of merchet and similar fines depended heavily on the custom of individual manors and it would be dangerous to assume that all the merchets entered in the court rolls represent all the marriages that took place between members of the unfree peasantry on particular manors in a given year. Unknown factors in the equation are the discretion exercised by individual lords and their officials, and their varying thoroughness in seeing that individual payments were committed to

⁵⁰ Two of the thirteen Ingoldmells entries mention land taken by the bride to her new husband, and eleven of the thirty-four Sutton entries. See Appendices XVI and XVII.

⁵¹ Searle, 'Seigneurial Control of Women's Marriage', 24-25.

⁵² *Court Rolls... Ingoldmells*, 41, 43.

⁵³ PRO, DL30/85/1157, m. 3*d.*; DL30/85/1161, m. 12*d.*

⁵⁴ PRO, DL30/85/1161, m. 12*d.*

⁵⁵ PRO, DL30/85/1159, m. 3*d.* In April 1309, Joan was said to be six years old. Thomas's payment for her marriage was made in August 1314, when Joan was just eleven years old, reinforcing what was said earlier about peasant heiresses marrying at an early age.

⁵⁶ Jones, 'The Spalding Priory Merchet Evidence', 158-161.

writing in the court rolls. It is, however, possible to detect a difference in practice with regard to the levying of marriage fines in the Lincolnshire manors of Langtoft and Baston from the situation that prevailed in Sutton and Ingoldmells. Unlike Sutton and Ingoldmells where merchet tended to be paid *pro licencia maritandi* or *pro licencia ducendi... in uxorem*, in Langtoft and Baston a distinction was made between the payment of a sum of money to the lord *pro gersuma* (or *gersumma* or *kersumma*) and the payment *pro licencia maritandi*. It was recorded on the roll for 1 August 1299 that the tenants of the abbot of Crowland's fee in Winthorpe had said in the court that they had been granted the liberties *de kersummis capiendis et dandi licenciam maritandi (sic)* by the abbot and convent.⁵⁷ Neilson's survey of customary rents noted that *gersuma* usually appeared for merchet in the eastern part of England.⁵⁸ Perhaps the two payments in Langtoft and Baston were similar in principle but were intended to apply to different types of unfree tenant. Perhaps they were just two ways of expressing the same thing. The entries themselves offer few clues. While Edusa Syrewen gave the lord 12*d.* *pro gersuma filie sue*⁵⁹ and Roger Togo gave one mark *pro gersumma Matilde filie sue*,⁶⁰ Reginald Copping paid 2*s.* *pro licencia maritandi filiam suam*.⁶¹

The interest shown by the lord in charging at least some of his customary tenants for permission to marry is particularly clear in Sutton's case; at some point after the records of the 1305-1306, 1308-1310 and 1312-1314 court proceedings were written up, someone went through the rolls and marked nearly all the merchet cases with a black cross in the margin.⁶² Furthermore, the extant Lincolnshire records show that lords were, as Brand and Hyams argued, particularly concerned with the matter of whether women were marrying inside or outside their manors. It was noted whether the brides were marrying *infra* or *extra manerium* for twenty-seven of the thirty-four marriages for which merchet was paid in the Sutton rolls under consideration here, and for ten of the thirteen marriages for which merchet was paid in the Ingoldmells rolls. There was a marked tendency for women from both manors to marry husbands from outside the manor: this was true of seventeen Sutton women and seven Ingoldmells women.⁶³ Perhaps this was partly a consequence of the high population pressure

⁵⁷ LAO, 6Anc1/11.

⁵⁸ Neilson, 'Customary Rents', 89.

⁵⁹ LAO, 6Anc1/5.

⁶⁰ LAO, 6Anc1/9.

⁶¹ LAO, 6Anc1/7.

⁶² The same person also marked all the cases when legerwite was paid.

⁶³ See Appendices XVI and XVII.

on the land in the late thirteenth and early fourteenth centuries, which led some men and women to look for suitably well-off marriage partners outside their immediate locality.

Unfortunately, the fact that fines were only charged on women marrying⁶⁴ means that merchet payments provide no clues as to the numbers of men who married women from other manors. Lords were presumably more interested in whom female villeins married because of the reproductive capacity of women; unfree women were the bearers of the lord's future generations of villeins. Such a concern is suggested by an entry on the Ingoldmells court roll for March 1319, which records that it was the custom of this manor that if a free man had a child by a bondwoman, then that child would always remain a bond person.⁶⁵ Although it is hard to relate the amount of merchet paid to whether a bondwoman married within or without the manor, those women who married outside the manor generally incurred higher fines than those who married within.⁶⁶

The Lincolnshire material examined here seems to lend the greatest weight to Brand's and Hyam's theory about the origins and function of merchet, rather than that put forward by Seade. The lord's anxiety about marriages outside the manor was possibly shared by villein families and might explain why Christiana Haldeyn resigned her house and half an acre of land that she held in Sutton, so that it could then be re-granted to Walter Haldeyn for a fine of 3s.⁶⁷ Once this was done, Walter acted as Christiana's pledge when she paid 10 s. *pro licencia maritandi se extra manerium*.⁶⁸ Beatrice, daughter of Geoffrey King, surrendered three roods and thirty-five perches of land to her sister, Geva, in the same session of the manor court as her father paid Beatrice's merchet so that she might marry *extra manerium*.⁶⁹ The direct and implied involvement of male relations in these transactions strongly suggests that the women concerned were generally subject to male manipulation.

Peasant Women and Property: IV. Legerwite

It was not just the marriages of villein women that were a potential source of profit to the lord. Legerwite (or leyrwite) was a payment imposed on unfree women for sexual activity outside marriage.

⁶⁴ The minsters' accounts for Sutton in 1304-1305, for example, speak *de merchettis xvij. mulierum*. See PRO, DL29/1/2, m. 13.

⁶⁵ *Court Rolls... Ingoldmells*, 69. Unfortunately, there is insufficient material here to look in more detail at the incidence of mixed marriages between free and unfree tenants.

⁶⁶ See Appendices XVI and XVII. This was not always the case. See PRO, DL30/85/1159.

⁶⁷ PRO, DL30/85/1157, m. 3d.

⁶⁸ PRO, DL30/85/1157, m. 3d. Before paying her merchet, Christiana also resigned one acre of land to another man in the Haldeyn family.

Tim North has argued that legerwite was probably imposed on women who had been convicted of fornication in the local rural chapter that enforced ecclesiastical law. North noticed that women sometimes commuted their physical punishments to payments in money in the church courts. The subsequent imposition of legerwite on female villeins in the manorial court was therefore probably the lord's response to the guilty party alienating the lord's property in the other court.⁷⁰ A case in the early fourteenth-century rolls for the Lincolnshire manor of Crowle seems to substantiate North's hypothesis. In May 1319, the vill of Crowle was placed in mercy because it had concealed (*concelavit*) from the court both Ellen, daughter of Thomas Sterting, and Joan Norman, 'who were violated and were attainted thereof in the chapter before the official' (*que violate sunt et de hoc attincte sunt in capitulo coram officiali*).⁷¹ The problem with North's argument is that only a very small proportion of legerwite cases make any mention of the rural chapter's prior involvement.⁷²

The very existence of legerwite, which had Anglo-Saxon origins,⁷³ testifies to the double standards that operated with regard to male and female sexual behaviour at even the lowest social levels in thirteenth-century England. In none of the Lincolnshire cases in this study was the fine incurred by the man who had committed the sexual misdemeanour with the woman. All the payments of legerwite in the Ingoldmells, Langtoft and Baston, and Sutton material that I have examined were imposed on women, and their sexual partners were not even named. In view of the risk of pregnancy, it was probably far easier to establish if a woman had been incontinent.⁷⁴ Yet even at Crowle, where male partners might be recorded, it was the woman who incurred the financial penalty. Perhaps this was in some strong sense related to contemporary ideas about female tendencies towards sexual promiscuity and lust, such as those that frequently found expression in late medieval religious literature.⁷⁵

Nevertheless, legerwite was imposed relatively infrequently. Fifteen payments for legerwite appear in the extant Ingoldmells rolls for 1291-1315.⁷⁶ Thirteen membranes of manorial court rolls that survive

⁶⁹ PRO, DL30/85/1157, m. 1d.

⁷⁰ According to the common law, villeins owned no property of their own and their chattels belonged to their lords. See T. North, 'Legerwite in the Thirteenth and Fourteenth Centuries', *P&P*, CXI (1986), 3-16.

⁷¹ *Select Cases*, clxxxiii, 130 no. 169.

⁷² *Ibid.*, clxxxii-clxxxiii.

⁷³ North, 'Legerwite in the Thirteenth and Fourteenth Centuries', 4.

⁷⁴ There was no separate fine like childwite for giving birth to an illegitimate child on these manors.

⁷⁵ Karras, *Common Women*, 103-111.

⁷⁶ *Court Rolls... Ingoldmells*, 1, 8, 16, 19, 20 (x2), 22, 28 (x3), 38 (x2), 41, 44, 45.

from Langtoft and Baston between 1238 and 1299, yield just three payments, all of which were probably imposed in the early months of 1266.⁷⁷ The seven membranes of Sutton rolls for 1305-1306 yield three cases where legerwite was charged,⁷⁸ the twelve membranes for 1308-1310 yield seven,⁷⁹ and the twenty-seven membranes for 1312-1314 yield none.⁸⁰ Although the inconstant survival rates of documents from all of these manors make it likely that more legerwite was paid, the small number of surviving cases still needs explanation.

Like merchet, the manner in which legerwite was recorded varied from place to place. In Langtoft and Baston, the scribes simply noted that a woman had paid a sum of money *pro leyrwita* or was *in misericordia pro leyrwita* or was distrained *pro leyrwita*, without noting how she had actually qualified for the offence.⁸¹ At Crowle, as noted above, the woman was described as having been violated by a particular man (*violata est per ...*), although it was still the female who incurred the financial penalty.⁸² In Sutton, however, it was recorded that a woman was chastised (e.g. *allopata est, allopatur*) and either the woman herself or a male relation seems to have paid her fine.⁸³ On the early Ingoldmells rolls, it tended to be stated that a woman was *cognita*, and later that the woman was chastised; here the legerwite was usually paid by the woman herself.⁸⁴

North found that legerwite was often associated with marriage fines, arguing that these might represent cases where the rural chapter was enforcing clandestine unions.⁸⁵ The Lincolnshire material is really too patchy to comment on this, although Jones encountered one case in the Spalding material from 1277 where a woman did not have to pay legerwite because she was already contracted to be married.⁸⁶ The size of the fine certainly seems to have varied, probably according to the

⁷⁷ LAO, 6Anc1/4, mm. 1d (x2), 2d.

⁷⁸ PRO, DL30/85/1157, mm. 1d, 3, 4d.

⁷⁹ PRO, DL30/85/1159, mm. 1 (x2), 5 (x2), 8d (x2), 11d.

⁸⁰ PRO, DL30/85/1160-1161. Neither are there any cases on the undated fragment, PRO, DL30/85/1158.

⁸¹ LAO, 6Anc1/4, mm. 1d, 2d.

⁸² *Select Cases*, 130 no. 169. Violation in this context does not appear to have been associated with forced sexual intercourse like rape. Rape was classed separately as a felony that came under the jurisdiction of the royal courts. See chapter five.

⁸³ PRO, DL30/85/1157, mm. 1d, 3, 4d; DL30/85/1159, mm. 1, 5, 8, 11d.

⁸⁴ *Court Rolls... Ingoldmells*, 1, 38.

⁸⁵ North, 'Legerwite in the Thirteenth and Fourteenth Centuries', 13.

⁸⁶ Jones, 'The Medieval Leyrwite', 945-946.

perceived severity of the offence. In Langtoft and Baston, the fine imposed could be as high as 5s.,⁸⁷ but in Ingoldmells and Sutton it could be as low as 6d.⁸⁸

Legerwite was usually imposed on unmarried young women. In Sutton, all eight women were designated as daughters rather than wives and no husbands were mentioned. These included two sets of sisters. Emma, daughter of John Sporkil, and her sister, another Emma, were both fined for legerwite together, and their brother John acted as their pledge.⁸⁹ Similarly, Katherine, daughter of Albe, and her sister, Margaret, both paid legerwite at another session of the local court.⁹⁰ The material from Ingoldmells also indicates that legerwite was usually paid by single women on this manor. Beatrice, wife of Henry Puredfys, was the only payee who was identified as a wife.⁹¹ In the absence of other references to Beatrice's husband in the court rolls, it is quite possible that she was a widow.⁹² What is particularly interesting about Beatrice's case, however, is that she is the only woman who was charged legerwite on two separate occasions.⁹³ Maybe Beatrice was living with a man outside wedlock.

Peasant Women and Property: V. Dower

The share of her late husband's holding that a peasant widow could claim varied, like inheritance practices, according to local custom and according to the type of tenure by which her former partner had held his land. Socage, a form of free tenure, allowed a widow either a third or a half of her late husband's holding, depending on regional practices.⁹⁴ The rights enjoyed by the widows of unfree tenants are slightly more problematic. According to the common law, their unfree status prevented villeins from receiving or nominating dower because the common law regarded villeins themselves as

⁸⁷ LAO, 6Anc1/4, m. 1d.

⁸⁸ *Court Rolls... Ingoldmells*, 8, 16, 19, 20, 22, 38, 41, 44, 45; PRO, DL30/85/1157, mm. 1d, 4d; DL30/85/1159, m. 8d.

⁸⁹ PRO, DL30/85/1157, m. 1d.

⁹⁰ PRO, DL30/85/1159, m. 8d. Peter, son of Sabina, acted as their pledge.

⁹¹ *Court Rolls... Ingoldmells*, 8.

⁹² Jones's survey of the Spalding material found that legerwite was far less commonly imposed on widows than on single young women. There was only one widow in all of his ninety-eight cases. See Jones, 'The Medieval Leyrwite', 949.

⁹³ *Court Rolls... Ingoldmells*, 8, 16.

⁹⁴ Walker, 'Litigation as Personal Quest', 82. See, for example, *ELAR*, 89-90 no. 512&cn.

property not as people with property rights.⁹⁵ When Bela, widow of Simon fitzAchar, sought a third of two bovates and two tofts in Swinstead as her dower from William de Coleville in 1219, William's attorney countered her claim by saying that 'on the day Simon married her he was a villein holding his land in villeinage so that he could not dower her therewith'.⁹⁶ In the early 1240s, a similar counter-accusation greeted another Lincolnshire woman, Isolda, widow of Osbert de la Grene, when she sought a third of two bovates of land in *la Garthorpt* as her dower from Walter de Burgh.⁹⁷ Although it is striking that the female litigants in both of these cases successfully refuted these claims and recovered at least part of their dower from their lords,⁹⁸ the accusations made against them raise questions about the position of villeins' widows.

The situation was not as bleak for villeins' widows as it might at first appear. Although the common law did not recognise their rights, manorial custom did. Moreover, as Hilton's research has demonstrated, the widows of customary tenants often enjoyed far more extensive rights in their late husbands' lands than those enjoyed by free tenants.⁹⁹ It was quite common for a widow to retain her late husband's entire tenement in her own right rather than as a child's guardian. This probably happened on the manors of Langtoft and Baston, where widows paid a varying fine to receive their late husbands' lands. In 1267, for example, Agnes, widow of John Prest, gave the lord half a mark *pro habendo terram que fuit mariti sui*.¹⁰⁰ In 1299, the widow of Reginald le Ko gave the lord 5s. *pro terra que fuit viri sui*.¹⁰¹ Elsewhere, manorial custom allowed a widow to retain half or a third of her late husband's property. Juvetta, the widowed mother of John fitzWyl' Gerveys, held half of one acre, one rood, and twenty perches of bond land (*terra nativa*) with half of a half of one cottage in Sutton *ad terminum vite ipsius Juvette nomine dotis*.¹⁰² When Alan Norman resigned eight perches of land and a house in the same vill to his sons, Simon and John, it was on the condition that Geva, the mother of Simon and John, would have half of this property if she outlived Alan, her husband.¹⁰³ On manors

⁹⁵ See *Glamvill*, 53-58.

⁹⁶ RJE, 385-387 no. 802. ... *die quo idem Simon eam desponsavit fuit ipse villanus tenens terram suam in vilenagio ita quod eam inde dotare non potuit et inde petit juratam et Bela similiter...*

⁹⁷ CRR, XVII, 318 no. 1622.

⁹⁸ Bella's case ended with a final concord, and Isolda recovered seisin of all the land in question. See RJE, 385-387 no. 802&n.; CRR, XVII, 318 no. 1622.

⁹⁹ Hilton, 'Women in the Village', 99.

¹⁰⁰ LAO, 6Anc1/5.

¹⁰¹ LAO, 6Anc1/10.

¹⁰² PRO, DL/30/85/1159, m. 12.

¹⁰³ PRO, DL30/85/1157, m. 7.

where a widow was entitled to a fraction of her late husband's holding, she might still secure custody of the rest of his property if his heir was underage. Matilda, widow of Richard Fox, was granted custody of her late husband's messuage and one bovat of land in West Keal in October 1287 until her son, Nicholas, attained his majority.¹⁰⁴ In April 1309 after Geoffrey Kydewyn died, leaving his six-year-old daughter Joan as his heir, both Joan and her lands in Sutton were handed over to her mother Agnes, who was to assume responsibility for paying the annual rent of 33s. 4d. until Joan came of age.¹⁰⁵

Nevertheless, not all villeins' widows were permitted to retain their late husband's lands for the remainder of their own lives. On some manors, they forfeited such lands if they remarried. In 1340, Alice, widow of Robert Penteye, paid a fine for admission to her late husband's tenements in Vaudey in Edenham, 'to hold [them] for the term of her life if she should not be espoused or unable to maintain the same tenements because of incapacity'.¹⁰⁶ On manors where widows retained their dower for the duration of their lives, they might well have faced considerable social pressure to remarry. Faith's research into peasant widows' property rights in medieval England indicated that the number of widows who remarried increased when land became relatively scarce.¹⁰⁷ The Lincolnshire evidence supports the impression of a relatively high rate of remarriage among propertied widows in the years of high population in the late thirteenth and early fourteenth centuries. In Sutton, for example, Agnes, widow of Geoffrey Kydewyn, remarried in June 1309, just two months after she had been granted custody of her daughter's inheritance on her former husband's death.¹⁰⁸ Six (18%) of the thirty-four women whose merchets are recorded in the extant Sutton court rolls for 1305-1306, 1308-1310, and 1312-1314, were referred to as widows, and the lands that five of these women took to their new husbands were recorded. Two of these five widows held over ten acres of land, one widow held seven acres and another widow held five acres.¹⁰⁹ The survey of Spalding Priory's possessions in this area in 1304-1305 indicates that 72.7% of its tenants

¹⁰⁴ *Select Cases*, 144 no. 186.

¹⁰⁵ PRO, DL30/85/1159, m. 3d.

¹⁰⁶ *Select Cases*, cxxv-cxxvi, 102 no. 117. ... *habendis ad terminum vite sue si desponsata non fuerit vel propter impotenciam eadem tenementa manutenere non potuerit....*

¹⁰⁷ Faith, 'Peasant Families and Inheritance Customs', 91. See also Smith, 'Hypothèses sur la Nuptialité', 125.

¹⁰⁸ See PRO, DL30/85/1159, m. 5d. See also p. 168 above. Agnes's guardianship of her daughter and her daughter's lands seems to have been short-lived. The merchet paid by her new husband only mentioned Agnes's dower, which comprised one messuage and thirteen acres of land, and made no reference at all to the wardship, which presumably reverted to the lord of the manor.

¹⁰⁹ See Appendix XVI.

held less than five acres of land,¹¹⁰ making it easy to understand why marrying a propertied widow might have seemed attractive to a land-hungry villager.

At a time of high population pressure, it is also likely that peasant widows with adult children came under pressure to relinquish control of their lands in favour of the younger generation.¹¹¹ Such agreements were normally accompanied by a reciprocal arrangement for the widow's support in her old age. Homans cites a case from the court rolls for Halesowen (Worcestershire) in 1281, whereby a widow's son agreed to build his mother a house when he took over her holding.¹¹² In a similar case from Langtoft and Baston, John fitzWilliam Attelane, promised to provide his widowed mother Beatrice with a house, a third of a curtilage, and a yearly render of one and a half quarters of mixtil, one and a half quarters of drage and a quantity of peat, when he took over a messuage and twenty-four acres of land that his father had held.¹¹³ Although manorial custom gave them access to landed resources, villein widows could still find their scope of action limited by social and economic circumstances.

Peasant Women and Property: VI. Women as Tenants in the Peasant Land Market

Villein widows tended to enjoy more extensive rights over their deceased husbands' lands than the widows of free men, but the fact remains that men headed most peasant households. J. Z. Titow has calculated that women accounted for just 12.1% of all tenants who were featured in thirteen manorial surveys drawn up for Glastonbury Abbey and the bishops of Worcester and Winchester before the Black Death.¹¹⁴ My own analysis of manorial rentals from Lincolnshire indicates that female tenants were rarer than Titow found. No women at all figured among the forty-six free tenants and villeins who were listed in the rental and custumal that was compiled in Edward I's reign for the bishop of Lincoln's manors of Fenton, Loughterton, and Normanby in Well Wapentake.¹¹⁵ Similarly, no women featured among the thirteen free tenants and two tenants *in bondagio* of Sir John Darcy in

¹¹⁰ Hallam, 'Some Thirteenth-Century Censuses', 343.

¹¹¹ It is, of course, possible that even when widows did not formally resign control of their lands to their offspring, their adult children were involved in running their widowed mothers' tenements.

¹¹² Homans, *English Villagers*, 208.

¹¹³ I owe this reference to Graham Platts's survey of the fourteenth-century court rolls for Langtoft and Baston. See G. Platts, *South Lincolnshire at the Beginning of the Fourteenth Century: the Social, Economic and Cultural Environment of Robert Mannyng's Handlyng Synne* (Unpublished PhD Thesis, University of Birmingham, 1978), 204.

¹¹⁴ J. Z. Titow, *English Rural Society 1200-1350* (London, 1969), 87.

¹¹⁵ PRO, SC12/10/45, mm. 1-3.

Knaith, according to an extent that was made of the manor in December 1289.¹¹⁶ An Agnes Leveneth' was, however, found to hold one toft for a rent of 18*d.* in part of the same document that was subtitled, *firma tenementium ad voluntatem*, although the other eight persons who were listed under this heading were all men.¹¹⁷ Women rarely appear in the rental and custumal that was compiled in 1255-1256 of Sir Richard de Harington's possessions in Bratoft, Irby le Marsh, Friskney and elsewhere. In Bratoft and Irby, for example, no women were listed among the twenty-one heads of villein households, and only one female, Juliana le (*sic*) provinte, featured in a list of fourteen free tenants who owed Sir Richard rents.¹¹⁸

Women probably feature so rarely in this type of document because their compilers were primarily concerned with the wealthier rural tenants and seldom with these tenants' own subtenants. Female-headed households are at their most visible on those Lincolnshire manors for which more detailed documents survive. A particularly detailed rental was compiled in Henry III's reign of all the villeins and cottars who resided in Holywell, on the south-western tip of Beltisloe wapentake. The rental includes a list of fifteen tenants who each held a virgate of land *in vilenagio*, including one woman, and sets out the obligations that were owing from each holding. It also lists nine tenants who each held half a virgate, including two women, and lists their obligations. By far the largest group of tenants are the twenty-seven *cotarii*, who included eleven women among their number.¹¹⁹ Most female heads of households in this rental were among the poorer members of this community.

Women may have headed fewer rural households than men but they figured surprisingly often as conveyors and receivers of land in manorial court rolls. Thirty-nine (42.4%) of the ninety-two land transfers that were recorded in the rolls for the manor of Sutton in 1305-1306, for example, involved at least one female actor (i.e. a grantor or receiver), and eleven of these thirty-nine cases involved wives who were acting alongside their husbands.¹²⁰ In sixteen (17.4%) cases, single or widowed women acted as grantors of land and in another seven (7.6%) cases married women acted as co-grantors with their husbands. In only one case did a brother and sister act as co-grantors. Furthermore the numbers of women who were receivers of land was roughly the same as the number of women who acted as grantors, suggesting that there was no gender-based bias that determined

¹¹⁶ PRO, SC11/409, m. 1.

¹¹⁷ PRO, SC11/409, m. 1.

¹¹⁸ PRO, SC12/10/33; *Lindsey Docs.*, 13-14 no. 7. Juliana owed her lord 3*s.* per annum for a bovaté of land with homage, suit and foreign service, and she owed 2*d.* for the sheriff's aid.

¹¹⁹ PRO, SC12/10/53, mm. 1-1d. The figure for the number of female cottagers includes [_____] Lavender, whose personal name is on a damaged (and missing) fragment of the rental. See PRO, SC12/10/53, m. 1d.

¹²⁰ PRO, DL30/85/1157, mm. 1-7. These are my calculations.

which role a woman might play. In fourteen (15.2%) instances, single or widowed women received land, and in four (4.3%) cases married women received land jointly with their husbands. The fact that most land transactions in which women were involved featured single or widowed women, supports Bennett's general hypothesis that wives who were under their husbands' authority played a far less prominent role in the public world of the manor court than young women and widows whose situations 'blurred distinctions of gender'.¹²¹

Only a small proportion of the transactions with female actors formalised land transfers within the immediate family. Just four cases involved transfers between brothers and sisters, and only two cases involved transfers between sisters. No mothers are recorded who conveyed land to their daughters and only one mother granted land to her son. Just three fathers granted lands to their daughters. If we look at land transfers that involved male actors only, just two fathers can be found granting lands to sons, while at least six cases involved transfers between brothers.¹²² Neither was there a marked gender-difference in the size of the holdings that men and women granted and received; nearly all the transfers involved relatively small parcels of land, which were often not much more than an acre and could be even less.

Women and Work

The range of work-related activities that were open to both men and women in the medieval countryside was probably much more limited than that available in the towns. The rising population in thirteenth-century Lincolnshire not only increased the pressure on the land, but also meant that many rural families possessed holdings that were too small to support themselves, creating considerable competition for employment as wage labourers.¹²³ This section will assess the contribution made by women to the rural Lincolnshire economy in the thirteenth century. It will consider whether women were placed at a disadvantage in relation to men when it came to finding employment and diversifying their activities to earn a living in the conditions that existed before the Black Death.

a) Housework versus Fieldwork

Hanawalt's study of the medieval English peasantry made an important gender-based distinction between the contributions made by men and women to the home economy. Her analysis of

¹²¹ Bennett, *Women in the Medieval English Countryside*, 177.

¹²² The number of cases involving transfers between brothers might have been higher as naming practices sometimes make it difficult to be certain whether two men were brothers or more distant relations.

coroners' inquests from six counties, including Lincolnshire, which date from the late thirteenth to fifteenth centuries, found that women were much more likely than men to have a fatal accident in the home or village, and were much less likely to die in fields, forests, mills, construction sites and marl pits.¹²⁴ In Hanawalt's eyes, this pattern of deaths confirms the existence of a 'sex-specific division of labour' in the medieval countryside, and shows 'women's chief sphere of work as the home and men's as the fields and forests'.¹²⁵ It is, of course, difficult to establish how far accidental deaths, which are unusual incidents, should be interpreted as evidence for daily life.¹²⁶ Hanawalt's findings also present difficulties because she fails to consider the impact of the Black Death on the occupations of men and women in the countryside. Nevertheless, she might be right to emphasize the role of wives in the home in particular. In the late fifteenth century, the *Ballad of a Tyrannical Husband*, described the duties of the wife within the home, when 'the goodman and his lad to plough are gone'. She was to tend and feed the children, milk the cows, make butter and cheese, feed the chickens, bake, brew, make the family's clothes and prepare the meals.¹²⁷

Custumals that record the labour services that were owed for villein tenements confirm what these other sources suggest and make a gender-based distinction between the tasks that male and female villeins were expected to perform in thirteenth-century Lincolnshire. Admittedly the labour services owing from villein tenements had already been commuted to cash rents by the late thirteenth century on some Lincolnshire manors like Ingoldmells.¹²⁸ On others, however, they remained in place, and villeins were expected to labour on their lord's home farm.¹²⁹ According to the Holywell rental from Henry III's reign, the holder of a virgate or half-virgate was expected to reap 'at the great bidreap with all his household except for his wife' (*ad magnam precariam cum tota familia sua excepta uxore sua*).¹³⁰ The implication is that even on these days the wife seems to have had other responsibilities at home that were too essential to disturb. Alternatively, it is possible that such work was just not considered fitting for women.

¹²³ Platts, *Land and People*, 79-81.

¹²⁴ Hanawalt, *The Ties That Bound*, 145.

¹²⁵ *Ibid.*, 145.

¹²⁶ Goldberg, 'The Public and the Private', 77.

¹²⁷ *Women in England*, ed. and trans. Goldberg, 169-170 no. 2.

¹²⁸ *Court Rolls... Ingoldmells*, viii, xxviii.

¹²⁹ The type and amount of work that they were expected to perform varied from place to place. See Miller and Hatcher, *Medieval England*, 121-128. Graham Platts's analysis of the labour services demanded by different lords in Lincolnshire has suggested that labour services tended to be heaviest on large upland estates. See Platts, *Land and People*, 64-65.

Nevertheless, female heads of peasant households were normally liable for exactly the same customary services or levels of free rents as those that were expected from households headed by men. Thus Agnes, wife of Hugh, who held a whole virgate of land in villeinage, and Agnes, wife of Geoffrey in the Hirne, and Emma the widow, who each held half a virgate of land in villeinage, were expected to see that all the same services were rendered as owed by their equivalent male virgaters and half-virgaters in Holywell.¹³¹ Female householders were just as liable as male householders to see that their properties were kept in good order. When Alice, widow of Robert Penteye, entered her late husband's lands in Vaudey in Edenham, a general order was entered on that manor's court rolls 'that widows who now hold tenements... in bondage should cause their tenements to be repaired, and that they should work their lands in their own hands'.¹³² The land bore the same services whether held by a man or a woman. Gender was more, or principally, at work in determining how often a woman held land.

There was little to distinguish between the moveable property found in male-headed peasant households and that found in female-headed peasant households that were assessed for royal taxation in the thirteenth and early fourteenth centuries, although this might be a partial reflection of the manner in which moveables were assessed. The earliest rolls that survive for Lincolnshire are the rolls of the fifteenth that was levied in 1225 for the wapentake of Aswardhurn. The jurors of North Kyme, the only vill not in Aswardhurn that was entered on this roll, presented that there were fifty-three households, including that of Philip of Kime, the lord of the manor, which fulfilled the minimum property qualification of 15*d.* and were therefore liable to pay the Crown a fifteenth of the value of their moveable goods.¹³³ Eight (15.1%) of these households were headed by women, whose livestock and other goods were variously valued at 2*s.*, 3*s.* 6*d.*, 4*s.* 6*d.*, 6*s.*, 7*s.*, 10*s.* 6*d.*, 15*s.* 6*d.*, and 17*s.* 6*d.* ¹³⁴ Nearly all the households that were assessed possessed at least a cow or a bullock, although it is probable that these animals only met the needs of their own households rather than providing marketable surpluses of meat and dairy produce.

¹³⁰ PRO, SC12/10/53, m. 1. A bidreap was a day at harvest time when all the villeins on the manor were expected to reap the lord's corn.

¹³¹ PRO, SC12/10/53, m. 1. These women may not, however, have necessarily rendered the services in person.

¹³² *Select Cases*, cxxvi, 102 no. 117. *Preceptum est viduis que nunc tenent tenementa... in bondagio quod faciant emendari tenementa sua et quod oparentur terras suas in manibus suis....* I have amended the translation offered by L. R. Poos and L. Bonfield.

¹³³ *Rolls of the Fifteenth*, 4-6.

¹³⁴ *Ibid.*, 4-6.

Direct evidence for the daily occupations of peasant women is extremely difficult to come across. The manorial court rolls only record tasks performed by women when they infringe on someone's rights but can provide intriguing glimpses of the lives of individual women. On 10 July 1303, the court at Ingoldmells heard how Agnes, wife of Thomas Herward, had upset Alan Polber by collecting reeds from a pit at *Douneswraa*, on what Alan believed was his land.¹³⁵ In February 1316, an inquisition found that Alice, wife of Robert Cadenay, had carried away the vegetables of Simon the cook in the same village.¹³⁶ Another incident that was dealt with by the Ingoldmells court when it met on 24 April 1316, provides an insight into the domestic goods of two females. Eleanor and Rosa, the daughters of Robert Sormilk, accused two women of breaking into their house in Great Steeping and carrying off two carpets worth 3s., one overcoat worth 3s., wool and thread worth 6d., and a dish worth 6d.¹³⁷ The value and type of items stolen imply that these two single women lived a life of relative comfort in a village situated approximately seven and a half miles from their father's place of origin. Unfortunately, we do not know whether the stolen wool and thread were for the sisters' personal use or were for making cloth or clothes that they then sold.

b) Victualling

As in the towns, however, there were certain non-agricultural occupations in the countryside that were carefully regulated and for which relatively detailed records survive, making it possible to compare the levels of male and female involvement. In the countryside, the Assizes of Ale and Bread were upheld by local lords at the meetings of the manor court. Bennett's research into brewing in Brigstock before the Black Death has already been mentioned in chapter three and compared with the urban evidence for ale-production in Lincoln at the end of the thirteenth century.¹³⁸ Lists of fines paid by brewers on the extant thirteenth-century court rolls for Langtoft and Baston, and on the early fourteenth-century rolls for Sutton also make it possible to compare Bennett's findings with evidence for rural brewing in Lincolnshire.¹³⁹ They also offer a useful means of testing Bennett's theory that

¹³⁵ *Court Rolls... Ingoldmells*, 27.

¹³⁶ *Ibid.*, 52-53.

¹³⁷ *Ibid.*, 62. The two female burglars, who were both from Great Steeping, were found guilty and hanged. The total value of their chattels was just 6d.

¹³⁸ See pp. 138-140.

¹³⁹ There was no ale-toll in Langtoft and Baston or Sutton. On the court rolls for Langtoft and Baston, brewers simply appear in a list under the heading *Braciatores* with amercements of 6d. or 12d. beside their names. On the court rolls for Sutton, brewers also appear in a list under the heading *Braciatores* or *Braciatrices*, paying a wider range of amercements (some as high as 3s.). In Sutton, these amercements were imposed for brewing against the Assize of Ale (see PRO, DL30/85/1159, m. 4d.). Unlike the Lincoln keepers' accounts, where the amercements for breaking the Assize of Ale probably related more to the retail than the production of ale, in the court rolls for Sutton, they related to the brewing of ale and regrators of ale were dealt with under a separate heading. See pp. 186-188 below.

women dominated this industry in Brigstock because of the effect that the type of agricultural environment in which they lived had on 'the internal dynamics of the family economy'. Bennett argued that men were diverted from brewing on this manor because they lived on a forest manor and therefore probably spent a large amount of time hunting or assarting in the neighbouring woodlands.¹⁴⁰ In places where other forms of farming predominated, such as the pastoral manor of Iver in Buckinghamshire, males paid seventy-one per cent of brewing fines because livestock-raising was less labour intensive, allowing them to become involved in commercial brewing.¹⁴¹

There was a strong pastoral element on the Lincolnshire manors of Langtoft and Baston, where substantial flocks of sheep were kept on the abbot of Crowland's demesne until 1313.¹⁴² Livestock husbandry also played an important role in the economy of the Fenland manor of Sutton, where large herds of cows and medium-sized flocks of sheep were kept on Henry de Lacy's demesne.¹⁴³ At face value, the material that I have examined suggests that although there was a reasonable level of female involvement in brewing on these manors, women did not dominate ale production to anything like the same extent as they did in Brigstock. Tables 4.1 and 4.2 below are based on an analysis of the lists of brewers from Langtoft and Baston,¹⁴⁴ and from Sutton and the neighbouring settlement of Lutton,¹⁴⁵ and create an impression of a fluctuating level of female involvement in ale production in these places. This particularly applies to Sutton and Lutton, where just two women were fined for brewing in May 1309, but thirty-nine women were fined at Pentecost 1314.

¹⁴⁰ Bennett, 'The Village Ale-Wife', 26-27.

¹⁴¹ *Ibid.*, 26.

¹⁴² Platts, *Land and People*, 111-116.

¹⁴³ *Ibid.*, 100, 111, 127; PRO, DL29/1/1, m. 6.

¹⁴⁴ For the lists of Langtoft and Baston brewers upon which table 4.1 is based, see LAO, 6Anc1/4, mm. 1, 1d., 2d.; 6Anc1/5 (x2); 6Anc1/6, m. 1d.; 6Anc1/7; 6Anc1/8, m. 1. The list in LAO, 6Anc1/7 presents problems because at least three brewers paid 5s. and a fifth paid 2s. instead of the usual 12d. or 6d.

¹⁴⁵ For the lists of Sutton and Lutton brewers upon which table 4.2 is based, see PRO, DL30/85/1157, m. 7; DL30/85/1159, m. 4d.; DL30/85/1160, m. 2; DL30/85/1160, m. 13; DL30/85/1161, m. 3.

Table 4.1 - Male and Female Brewers in Langtoft and Baston

Dates of Brewers' Lists	Langtoft Total No. of Female Brewers	Langtoft Total No. of Male and Female Brewers	Baston Total No. of Female Brewers	Baston Total No. of Male and Female Brewers
November 1265	2 (18.2%)	11 (100%)	3 (60%)	5 (100%)
May 1266	2 (18.2%)	11 (100%)	3 (25%)	12 (100%)
1265-1266 (undated)	9 (37.5%)	24 (100%)	3 (50%)	6 (100%)
October 1266	4 (40%)	10 (100%)	1 (33.3%)	3 (100%)
January 1267	--	--	3 (100%)	3 (100%)
May 1273	3 (25%)	12 (100%)	5 (45.4%)	11 (100%)
November 1273	5 (100%)	5 (100%)	--	--
December 1290	4 (30%)	13 (100%)	2 (66.6%)	3 (100%)

Table 4.2 - Male and Female Brewers in Sutton and Lutton¹⁴⁶

Dates of Brewers' Lists	Sutton and Lutton Total No. of Female Brewers	Sutton and Lutton Total No. of Male and Female Brewers
Pentecost 1306	13 (31.7%)	41 (100%)
May 1309	2 (5.5%)	36 (100%)
October 1312	3 (15%)	20 (100%)
October 1313	24 (58.5%)	41 (100%)
Pentecost 1314	39 (95.1%)	41 (100%)

The widely varying numbers of women who paid amercements for brewing in the court rolls for Langtoft and Baston, and Sutton and Lutton, present problems and may not necessarily provide reliable indicators of the level of female involvement in brewing on these manors at any given time. The possibility has to be considered that husbands sometimes attended the manor court and paid fines for their wives' brewing activities. In an attempt to recognise men who were answering for their wives' brewing activities, I have also counted all the occasions where a husband with a wife who appeared as a brewster in the lists also appeared himself. There are no cases where both a husband and a wife each paid a separate fine before the same court. If we take into consideration the husbands who might have been answering for their wives, the figures for the possible levels of female involvement in brewing change significantly for nearly all the courts in Langtoft and Baston, and especially in Sutton and Lutton, and are presented in tables 4.3 and 4.4 below.¹⁴⁷ It would therefore

¹⁴⁶ The brewers from Sutton and Lutton were sometimes listed together and were sometimes listed separately in the court rolls. It is for this reason that I have placed both Sutton and Lutton brewers in the same column in this table. The table in Appendix XIX reflects the layout in the rolls.

¹⁴⁷ The only figures not to change in table 4.3 from those in table 4.1 are for Baston in November 1265, January 1267 and May 1273, and those for Langtoft in November 1273. The only figures not to change in table 4.4

appear that even on manors where pastoral farming was reasonably important, brewing was largely in the hands of women.

Table 4.3 - Male and Female Brewers (counting Husbands representing Wives) in Langtoft and Baston

Dates of Brewers' Lists	Langtoft Total No. of Female Brewers (counting Husbands representing Wives)	Langtoft Total No. of Male and Female Brewers	Baston Total No. of Female Brewers (counting Husbands representing Wives)	Baston Total No. of Male and Female Brewers
November 1265	5 (45.4%)	11 (100%)	3 (60%)	5 (100%)
May 1266	5 (45.4%)	11 (100%)	5 (41.6%)	12 (100%)
1265-1266 (undated)	12 (50%)	24 (100%)	6 (100%)	6 (100%)
October 1266	6 (60%)	10 (100%)	3 (100%)	3 (100%)
January 1267	--	--	3 (100%)	3 (100%)
May 1273	4 (33.3%)	12 (100%)	5 (45.4%)	11 (100%)
November 1273	5 (100%)	5 (100%)	--	--
December 1290	8 (61.5%)	13 (100%)	3 (100%)	3 (100%)

Table 4.4 - Male and Female Brewers (counting Husbands representing Wives) in Sutton and Lutton

Dates of Brewers' Lists	Sutton and Lutton Total No. of Female Brewers (counting Husbands representing Wives)	Sutton and Lutton Total No. of Male and Female Brewers
Pentecost 1306	29 (70.7%)	41 (100%)
May 1309	22 (61.1%)	36 (100%)
October 1312	17 (85%)	20 (100%)
October 1313	39 (95.1%)	41 (100%)
Pentecost 1314	39 (95.1%)	41 (100%)

As I found to be the case in Lincoln and as Bennett also found to be the case in Brigstock, however, brewing in Langtoft and Baston was largely the preserve of married women. Appendix XVIII lists the names of the thirty-two brewsters who appear in the Langtoft and Baston court rolls, and seventeen (53.1%) of these women were probably married; only one was described as a widow.¹⁴⁸ Although it has not been possible to establish the marital status of nine of the remaining fourteen brewsters, three others were described as *ancille*, indicating that they were young unmarried female

from those in table 4.2 are those for Sutton and Lutton at Pentecost 1314, when all the women came and paid their own amercements.

¹⁴⁸ The seventeen married women include Agnes the carpenter for whom I have found a possible husband. See Appendix XVIII.

servants,¹⁴⁹ and another two were unnamed, being simply described as *quedam Stanford' in domo Andree Suel* and *Item quedam Stanford' in domo W. Roland*.¹⁵⁰ Perhaps the houses of Andrew Suel and W. Roland served as village taverns. Appendix XIX lists the fifty-five brewsters who appear in the Sutton and Lutton records, and in these places brewing was almost entirely dominated by ale-wives. Forty-seven (85.4%) of the fifty-five brewsters were married, one of whom, Matilda, wife of Simon fitzGilbert, continued to work as a brewster into her widowhood.¹⁵¹

The amount of start-up capital needed to brew on a commercial scale probably ensured that it was often only married women or widows who had access to the necessary resources in the countryside to supplement the family income in this way. Moreover, the fact that the wife of one of the most important villagers in Langtoft, the reeve's wife (*uxor prepositi*), was a brewster, suggests that brewing was an option that wealthy villagers were prepared to embrace in order to increase their income.¹⁵² The same is suggested by the Sutton material, where brewsters are named, such as Beatrice the smith (*faber*), the wife of William Tayllour, and the wife of Geoffrey the smith (*faber*), who belonged to the families of the village's better-off craftsmen and traders.¹⁵³

The court rolls for Langtoft and Baston, and Sutton, suggest that the women on these manors tended to engage in brewing as an occasional occupation and did not necessarily brew all the year round, hence the fluctuating numbers. Seventeen (53.1%) of the thirty-two brewsters in Langtoft and Baston can only be found paying one fine, and five (15.6%), including one husband and wife team, can be found paying two fines in the surviving rolls.¹⁵⁴ Given the extremely fragmentary nature of the evidence, it is possible that some of these women paid fines fairly regularly in the records that have not survived. Even so, a relatively complete set of records survives from November 1265 to January 1267 and Langtoft and Baston seem to have supported a core group of professional brewsters. The wife of Brian, for example, appears in all the Baston lists of brewers' fines that survive from November 1265 to December 1290, suggesting that she engaged in this occupation for

¹⁴⁹ They were: Edusa *ancilla* of Roger Brian; the *ancilla* of Swetmann'; and the *ancilla* of H. de Wnterig'. See LAO, 6Anc1/4, m. 2d.; LAO, 6Anc1/8.

¹⁵⁰ The use of the definitive pronoun *Item* (meaning 'the same') before the second *quedam Stanford'* indicates that these two brewsters may have been one and the same person who worked in or supplied ale to two separate houses. See LAO, 6Anc1/5.

¹⁵¹ This forty-seven includes Emia Campion for whom I have identified a possible husband. See Appendix XIX.

¹⁵² LAO, 6Anc1/6, m. 1d; LAO, 6Anc1/7.

¹⁵³ PRO, DL30/85/1157, m. 7; DL30/85/1160, m. 13; DL30/85/1161, m. 3.

¹⁵⁴ See Appendix XVIII.

a good twenty-five years at least. Sara de Valle, working in Langtoft, is mentioned in the lists for November 1265 and May 1266, as well as the undated list for 1265-1266, and the list compiled in October 1266. When the net is broadened to count husbands who might have been paying their wives' fines as well, three couples feature in six of the surviving lists, and two couples feature in four, and three feature in three. In so far as the results from Sutton's and Lutton's surveys are concerned, sixteen brewsters feature in one list.¹⁵⁵ If the net is broadened to incorporate husbands who might have paid amercements on their wives' behalf, twelve brewsters (and/or their husbands) appear in two lists, nine in three, twelve in four, five in five, and one (Simon fitzGanne and Agnes his wife) in six. Sutton and Lutton also supported a small group of professional brewing households.

Much less material survives for the level of female involvement in commercial baking than survives for commercial brewing in the Lincolnshire countryside. The extant court rolls for Langtoft and Baston contain one short list of bakers who were each amerced 6*d.*, presumable as part of a licensing system like that for brewers.¹⁵⁶ Two of the three people amerced were women.¹⁵⁷ The Sutton rolls for Pentecost 1306, October 1313 and Pentecost 1314, list seven bakers, four bakers and five bakers respectively, whose amercements varied in value and were 3*d.*, 6*d.* or 12*d.*¹⁵⁸ The only woman baker to be named was Alice Beveriche, who also worked as a brewster, and paid the smallest baking fine of 3*d.*¹⁵⁹

The Sutton court rolls are also useful indicators of the ways in which countrywomen could diversify their activities and earn a living at the beginning of the fourteenth century because they include lists of amercements paid by regrators and hucksters of bread and ale, which probably represent the lord's attempt to license petty retailers. In examining these lists, I have employed a similar methodology to that used to assess the level of female involvement in brewing, and have counted all cases where a husband with a wife who was a regrator or huckster in the lists also appeared himself. The results of this survey, set out in table 4.5 below, suggest that women were also widely involved in the retail of bread and ale. Unfortunately not all of the lists specify whether each person was selling ale or bread or both consumables.

¹⁵⁵ See Appendix XIX.

¹⁵⁶ The bakers simply appear under the heading *Pistores* with amercements listed next to their names. Presumably, like the brewers in Sutton and Lutton, they were technically being amerced for breaking the Assize, in this case of Bread.

¹⁵⁷ These were: Hawise, daughter of Simon; and Hawise Heuek'. See LAO, 6Anc1/6, m. 1d.

¹⁵⁸ PRO, DL30/85/1157, m. 7; DL30/85/1160, m. 13; DL30/85/1161, m. 3.

¹⁵⁹ PRO, DL30/85/1157, m. 7.

Table 4.5 - Female Regrators and Hucksters (counting Husbands representing Wives) in Sutton and Lutton

Dates of Regrators' / Hucksters' Lists	No. of Women (counting Husbands) selling Ale	No. of Women (counting Husbands) selling Bread	No. of Women (counting Husbands) selling Ale and Bread	No. of Women (counting Husbands) selling Unspecified Consumables	Total No. of Female Regrators /Hucksters (counting Husbands)	Total No. of Male and Female Regrators / Hucksters
Pentecost 1306 (Sutton and Lutton)	11	1	10	1	23 (51%)	45 (100%)
May 1309 (Sutton)	7	1	8	2	18 (60%)	30 (100%)
May 1309 (Lutton)		2		12	14 (60.8%)	23 (100%)
October 1312 (Sutton and Lutton)		1		7	8 (72.7%)	11 (100%) ¹⁶⁰
October 1313 (Sutton)			2	21	23 (62.2%)	37 (100%)
Pentecost 1314 (Sutton and Lutton)		3	8	22	33 (71.7%)	46 (100%)

In the villages of Sutton and Lutton, the retail of foodstuffs, such as bread and ale, was an occupation that was probably more accessible to single women and other poorer villagers than working as a commercial brewer or baker.¹⁶¹ Appendix XX lists the names of the sixty-four female regrators and hucksters who were amerced in Sutton and Lutton. Bearing in mind the considerable extent to which brewing had been dominated by married women in these particular villages, it is striking that thirty-three (51.6%) of the sixty-four female regrators were probably married women,¹⁶² leaving thirty-one who were not wives. Moreover, the figures indicate that female involvement in retail was possibly even more casual and intermittent than involvement in commercial brewing. Thirty-one (48.4%) of the sixty-four women regrators and hucksters were only amerced on one occasion in the extant court

¹⁶⁰ Five women and the husband of a female regrator feature in another list of twelve people who had not attended this court with their measures, and one woman features in a list of four people who paid a fine for having false measures. See PRO, DL30/85/1160, m. 2.

¹⁶¹ Admittedly, at least seven female regrators and hucksters from Sutton and Lutton were brewsters who appear to have been involved in marketing the ale that they made. These were: Alice Beveriche (brewer and baker); Emecina, wife and widow of John fitzPeter; the wife of Simon Austyn; Beatrice, daughter of John the smith; the wife of Geoffrey the smith; Sabina Fyn; and Emia Campion. See Appendices XIX and XX. At least another two female regrators were the wives of men who had paid brewing fines, suggesting that they were selling their husbands' wares. These were: the wife of Guy Kedewyn; and the wife of Peter Attehesse. For their husbands as brewers, see PRO, DL30/85/1157, m. 7; DL30/85/1159, m. 5.

¹⁶² This figure includes Margaret Aleyn, Alice Petebyn and Emia Campion, for whom I have identified possible husbands. See Appendix XX. One woman whom I have included here, namely Emecina, wife of John fitzPeter, was designated as a wife in 1306 and a widow in 1309. See PRO, DL30/85/1157, m. 7; DL30/85/1159, m. 5. I have not counted Geva, widow of Geoffrey Gerveys, here because she was described as a widow in 1306, but as a wife in 1309. See PRO, DL30/85/1157, m. 7; DL30/85/1159, m. 5.

rolls.¹⁶³ If the net is broadened to incorporate husbands who might have paid amercements on their wives' behalf, seventeen female regrators (and/or their husbands) appear twice in the surviving lists, eleven appear three times and four appear four times. The only couple whose total appearances add up to five times is Augustine the smith and his wife, who evidently belonged to the wealthier artisan classes and therefore had access to the necessary financial resources to support a long-term involvement in retail.

c) Rural Crafts

Although there were no organised artisan communities in the thirteenth- and early fourteenth-century Lincolnshire countryside to compare with those in the urban centres of Lincoln and Stamford, villages often supported small numbers of craftsmen. It is likely that, as in the towns, wives in rural areas sometimes helped their husbands in their workshops, and widows sometimes continued their late husbands' businesses. Goldberg observed that many women in rural Yorkshire after the Black Death were involved in wool and cloth production,¹⁶⁴ and the same was probably true of some of the women in Langtoft and Baston, and Sutton, before the Black Death, especially in view of the sheep flocks on these manors.¹⁶⁵ A connection with the cloth trade is suggested by the names of Elviva Kempstere (a comber of wool) and the wife of William Webstere (a weaver of cloth), who also engaged in the retail of foodstuffs and were amerced as regrators in Sutton's court at Pentecost 1314.¹⁶⁶ Some women may have manufactured clothes. The occupational surname of Alice le (*sic*) Souter' suggests that either she or a male relation worked as a cobbler, although the court rolls reveal that she also found it necessary to work as a regrator of bread.¹⁶⁷ Furthermore, the appearance of Beatrice Thacker' (a thatcher) and Alice Carter, implies that some women perhaps found a niche in the rural construction industry.¹⁶⁸

As in the towns, women could also find employment in the service industries in the Lincolnshire countryside. Poor women might work as laundresses. The name of Matilda la Lavender, who appears in the rental for Holywell, holding a cottage for an annual rent of 12*d.*, suggests that she took

¹⁶³ See Appendix XX.

¹⁶⁴ Goldberg, *Women, Work, and Life Cycle*, 144-147.

¹⁶⁵ For the production of wool and cloth in Lincolnshire, see Platts, *Land and People*, 127-128.

¹⁶⁶ PRO, DL30/85/1161, m. 3.

¹⁶⁷ PRO, DL30/85/1160, m. 2.

¹⁶⁸ PRO, DL30/85/1160, m. 2; DL30/85/1161, m. 13.

in washing to supplement her income from her tiny holding.¹⁶⁹ The harsh conditions in which some of the poorest sections of female society lived and worked is suggested by the fate of Beatrice la Lavender who froze to death at a place between Stainton and Wadingham.¹⁷⁰ Especially in an age of high population and increasing pressure on the land in the years before the Black Death, it is no wonder that so many men and women from Lincoln's neighbouring villages left their homes and headed for the towns in search of employment.¹⁷¹

Women in Manorial Society

The appearance of peasant women in the manor court took them out of the private sphere of the home and into the public world of manorial jurisdiction, a boundary which, as we have seen, some of them automatically crossed when they performed certain types of work. In many ways the legal subordination of women to men that was seen in the operation of the royal courts, where gender determined that women could not be jurors, court officers or judges, was imitated and indeed largely replicated in manorial courts. None of the court officers of the rural courts that have been examined here were women and it was men not women who were required to serve on inquisitions.¹⁷² In manorial society, it was normally the male head of the household who answered for the behaviour of its constituent members and was expected to look after their interests. Husbands were normally supposed to represent, or at least appear with, their wives and there is much to be said for Bennett's argument that women were 'second-rank' performers in the manorial court.¹⁷³

The manor courts that I have looked at in Lincolnshire did not generally recognise the reliability of women as witnesses and independent prosecuting parties. Moreover, women's public reputations seem to have been particularly fragile within manorial society. Husbands were often concerned to defend their wives' reputations in defamation cases, although the person who made the charge was often another woman. This suggests that women tended to mix more with other women rather than with men. The alleged defamations all involved accusations of anti-social behaviour, such as criminal activities. Sometimes these accusations were made in the heat of an argument. In a court held at Langtoft in 1291, for example, Robert fitzAndrew complained that the wife of Alan of Fen had called his wife a thief and a robber (*vocavit uxorem suam furem et latronem*). When an inquisition was held, it

¹⁶⁹ PRO, SC12/10/53, m. 1d.

¹⁷⁰ PRO, JUST1/486, m. 24.

¹⁷¹ See pp. 147-148 above.

¹⁷² For male jurors serving on an inquisition, see, for example, *Court Rolls... Ingoldmells*, 5, 13.

¹⁷³ Bennett, *Women in the Medieval English Countryside*, 22.

was found that both women had called each other insulting names.¹⁷⁴ The argument had presumably erupted in a public place, in front of witnesses, prompting one husband to bring a case to defend the slur cast on his wife's character, and by implication on that of his household. It might also have allowed him to pursue his wife's vendetta.

Defamation cases could be far more complicated than they at first appeared. In September 1292, Alan Romfar attended the court at Ingoldmells and complained that Walter Bogg had wrongfully defamed Alan's wife by claiming that she stole his beans at a place called Nortcotes, which Walter was leasing from Alan. An inquisition found that Agnes had taken none of Walter's beans and Walter was duly amerced.¹⁷⁵ Walter's position as Alan's lessee suggests that a dispute between tenant and landlord lay behind Walter's accusation against Alan's wife. Nevertheless, it is interesting to note that a separate complaint brought by Matilda, wife of Alan Romfar, against Agnes, wife of Walter Bogg, alleged that Walter's wife had also defamed her by calling her a robber for carrying away the disputed beans. When this case was inquired into, however, Matilda's own accusations against Agnes were dismissed, and this time Matilda was amerced.¹⁷⁶

In an age when bastardy usually prevented a person from inheriting land,¹⁷⁷ women were particularly vulnerable as potential mothers to accusations of illicit sexual activity outside marriage. Both single and married women might be vulnerable to such verbal attacks and were keen to remove the tarnish from their reputations. In June 1303, the court at Ingoldmells heard Maria, daughter of Guy Gigge, complain that William Kuyche had defamed her by citing her to the rural chapter before the Dean, presumably for some alleged sexual indiscretion, and once there she had lawfully purged herself. William defended his actions but an inquisition found that he had defamed her and Maria was duly awarded damages.¹⁷⁸ In another case, which came before court of the same manor in September 1312, an inquisition found that Joan *at Waterlad* had called Beatrice, wife of Walter Lamb, a whore (*meretrix*) and other names in the churchyard of St. Peter's church.¹⁷⁹ In August 1315, William Bride

¹⁷⁴ LAO, 6Anc1/8, m. 1.

¹⁷⁵ *Court Rolls... Ingoldmells*, 13.

¹⁷⁶ *Ibid.*, 13.

¹⁷⁷ For a charter whereby Alice, Constance and Agnes, the daughters of Magnus the clerk of Burgh, renounced their law suit about land that they had presumably hoped to inherit from their late father in Burgh Le Marsh, 'acknowledging themselves [to be] bastards' (*seipsos bastardas recogniscendo*), see *Lindsey Docs.*, 14-15 no. 9.

¹⁷⁸ *Court Rolls... Ingoldmells*, 25.

¹⁷⁹ *Ibid.*, 28-29.

and Agnes his wife recovered damages after an inquisition found that William fitzAlice had also called Agnes a whore and the offending party was duly amerced.¹⁸⁰

A husband's responsibility for his wife's activities could be a double-edged sword. He might not only be called upon to act in her interests but might also be held liable for her transgressions and for any financial penalties that she incurred. In the court held at Langtoft in July 1299, William Oter was amerced six pence for his wife's trespass of beating Cecily of Manthorpe's boy and had to give the victim's mother twelve pence for his wife's offence.¹⁸¹ The court officials themselves were not always satisfied with this state of affairs, especially when husbands were apparently reluctant or were simply unable to control the actions of their wives. The aforementioned Beatrice, wife of Walter Lamb, regularly committed trespasses against people in Ingoldmells. In a case dealt with before the manor court on 30 July 1313, Walter Lamb was distrained in his wife's absence of two cows and one stirk (a bullock) worth 20s., for his wife's actions. Unusually this case seems to have been referred to the earl of Lincoln's honorial court at Bolingbroke, where *coram consilio domini*, it was considered that Beatrice should be placed in the pillory for the 'many trespasses' which she had committed and 'for which she could not be punished by amercements', presumably because her husband always had to come and answer for her.¹⁸²

Even so, it was not just male heads of households who were responsible for the actions of the members of that household. When there was no male head, the woman, normally a widow, might fulfil a similar role. Thus Matilda Poubel was held liable by the court at Langtoft in November 1265, when she admitted a stranger, Reginald the weaver, into her house.¹⁸³ In August 1299, Cecilia of Bowthorpe was required to find pledges that she would keep the houses and lands that she held from the abbot of Crowland in good repair.¹⁸⁴ Sometimes, however, it could be difficult to bring these women householders to book. 'And, as often', the court clerk of Ingoldmells recorded in October 1325 that Matilda, the widow of Simon Leve, was to answer the lord for depasturing the lord's common with her beasts.¹⁸⁵

¹⁸⁰ *Ibid.*, 42.

¹⁸¹ LAO, 6Anc1/10.

¹⁸² *Court Rolls... Ingoldmells*, 32. It is, however, interesting that another entry on the roll for the same court ordered that Beatrice herself should be distrained to answer for some woollen garments and wooden utensils that she had carried off from Agnes Ffraunceis (*sic*). See *Ibid.*, 34.

¹⁸³ LAO, 6Anc1/4, m. 1. See also LAO, 6Anc1/4, m. 2d. There do not appear to have been any sexual overtones in this case. Men were also amerced for allowing strangers to stay in their houses.

¹⁸⁴ LAO, 6Anc1/11.

¹⁸⁵ *Court Rolls... Ingoldmells*, 92.

Conclusion

The findings of this chapter support Bennett's argument that women were 'second-rank' members of English rural communities in the late thirteenth and early fourteenth centuries. In spite of the different forms of tenure that existed in the thirteenth-century Lincolnshire countryside, the inheritance practices of both free and customary tenants relegated peasant daughters, like their noble and gentle counterparts, to the position of inheritors by default. Of all the widows from different social backgrounds examined in this thesis, it was the widows of customary tenants who enjoyed the greatest level of equality with men in so far as their access to landed resources was concerned. Yet in the years of land shortage and high population, even these women experienced pressure to remarry and return to male tutelage.

In the thirteenth-century Lincolnshire countryside, it was men who acted as manorial officials, men who headed the vast majority of rural households, and men who dominated the rural crafts. Yet the high level of female involvement in the brewing and retail of ale in the communities of Langtoft and Baston, and Sutton and Lutton, suggests that women could and did make a vital financial contribution to the family economy. It is difficult to tell how this might have affected authority relationships between husbands and wives within the private world of the home, but I suspect that gender-distinctions could be rendered significantly less important by the daily struggle for survival.

Chapter 5: Criminal Women

This final chapter will compare the levels of male and female involvement in reported crime in thirteenth-century Lincolnshire, and will ask whether it is possible to detect gender-orientated patterns of criminal behaviour that affected the types of crime committed and the nature of criminal partnerships. It will also consider the quality of protection that the royal courts offered male and female victims. Several recent studies of crime in the thirteenth and fourteenth centuries have already attempted to distinguish between male and female criminality. J. B. Given's examination of homicide in thirteenth-century England, conducted using twenty eyre rolls from the counties of Bedford, Kent, Norfolk, Oxford and Warwick and the cities of London and Bristol, has argued that gender influenced whether a person killed another person, how the offender was dealt with by the king's justices, and whether he/she acted alone or in company. Given found that women accounted for just 8.6 per cent of all accused killers in his sources but stood a greater chance of being executed than male killers.¹ When women killed, they were three times more likely than men to act with accomplices, and their victims were more likely to be members of their own family or residents of the same village.² In explaining why women were less often involved than men in homicides, Given stressed their passivity and 'their less active role in social life'.³

The findings of Given's research complement those of Barbara Hanawalt's more wide-ranging survey of crime in England between 1300 and 1348, which found that very small numbers of women were accused or suspected of homicide and other crimes associated with the use of force. The results of Hanawalt's research suggested that female involvement was more marked in less violent crimes and in crimes that took place within a domestic context, such as theft and the receipt of stolen goods.⁴ Hanawalt discovered that fourteenth-century women were more likely than men to steal clothes and household goods that related to the traditional role of women within the home.⁵

My study will look at whether the evidence from thirteenth-century Lincolnshire supports Given's and Hanawalt's work and will draw heavily on the extant crown plea rolls of the general eyres of

¹ Women were also far less likely than men to become victims of homicide. See J. B. Given, *Society and Homicide in Thirteenth-Century England* (Stanford, California, 1977), 134, 137.

² *Ibid.*, 143-149.

³ *Ibid.*, 141-142, 148.

⁴ B. A. Hanawalt, *Crime and Conflict in English Communities 1300-1348* (London, 1979), 114-125. See also B. A. Hanawalt, 'The Female Felon in Fourteenth-Century England', *Viator*, V (1974), 253-268.

⁵ Hanawalt, *Crime and Conflict*, 120-122; Hanawalt, 'The Female Felon', 262-263.

1202 and 1281-1284.⁶ In order to give a general impression of the comparative numbers of men and women who were involved in reported crime, I have selected the cases relating to nineteen of Lincolnshire's thirty-three wapentakes from both eyre rolls for a statistical assessment of the incidence of crime in this county at the beginning and end of the thirteenth century.⁷ The greater amount of criminal business with which the general eyre of 1281-1284 had to deal⁸ inevitably means that there is a marked difference in the total number of crown pleas that form the two samples: the 1202 sample is based on an analysis by database of over 250 cases, while the 1281-1284 sample is based on an analysis of over 400 cases.

All this assumes that contemporaries possessed a perception of crime which was similar to our own, that is of evil deeds prohibited and punished by law. There are signs that something approaching this existed in the late twelfth century. Book xiv of *Glanvill*, for example, was entirely devoted to 'criminal pleas' (*De placitis criminalibus*) and discussed methods of prosecution and punishment for felonies such as causing the king's death, betrayal of the realm, betrayal of the army, homicide, arson, robbery, rape and forgery, all of which came within crown jurisdiction.⁹ Yet the compilers of the late twelfth- and thirteenth-century articles of eyre included matters that are in modern eyes distinctly non-criminal when listing the tasks of the justices commissioned to hear crown pleas in the localities. Although no formal list of articles has survived for the Lincolnshire eyre of 1202, they were probably similar to those of the 1198 eyre, which inquired into civil concerns, including wardships, marriages, escheats and churches in the king's gift, as well as a variety of criminal activities.¹⁰ The categories of crime which were dealt with by both the Lincolnshire eyres of 1202 and 1281-1284, and will receive attention here cover rape, homicide, suicide, assault (wounding, involving broken bones or the drawing of blood), theft (robbery, burglary and larceny), false imprisonment, arson and forgery.

⁶ For the crown pleas of the 1202 eyre, see PRO, JUST1/479 (printed in *ELAR*, 93-194). For the crown plea and gaol delivery records from 1281-1284, see PRO, JUST1/486 (Rex roll); JUST1/488 (Loveday's roll); JUST1/491 (Mettingham's roll), JUST1/493 (Saham's roll); JUST1/494 (Siddington's roll); JUST1/497 (Vaux's roll). For a fragment of a roll of crown pleas from the general eyre of 1245, see JUST1/1581. For the purposes of this study, the Rex roll will represent the 1281-1284 eyre.

⁷ I have selected a sample due to limitations of time. The nineteen wapentakes are: Ness; Beltisloe; Aveland; Aswardhurn; Flaxwell; Winnibriggs; Threo; Langoe; Loveden; Graffoe; Boothby; Elloe; Kirton; Skirbeck; Candleshoe; Bolingbroke; Calcewath; Louthesk; and Hill.

⁸ See n. 93 below.

⁹ *Glanvill*, 171-177. *Glanvill* also dealt with the wrongful concealment of treasure trove in book xiv. See *Ibid.*, 173-174.

¹⁰ *ELAR*, xxxviii-xl. The articles in eyre, subject to a few relatively minor alterations, remained basically the same throughout the thirteenth century. See *Wilts. Eyre 1249*, 27-33; *Bracton*, II, 329-332; H. M. Cam, 'Studies in the Hundred Rolls: Some Aspects of Thirteenth-Century Administration', in *Oxford Studies in Social and Legal History. Vol. VI*, ed. P. Vinogradoff (Oxford, 1921).

These were all classified as felonies and carried the penalty of corporal punishment.¹¹

Nevertheless, the evidence for crime in thirteenth-century Lincolnshire can be difficult to interpret. Few cases on the crown plea and gaol delivery rolls were recorded in great detail and it is not always clear whether contemporaries made the modern distinction between domestic and professional crime.¹² Apart from crimes committed within the family for which blood relationships tended to be provided, there are few clues as to whether, and if so in what context, victims and perpetrators were already acquainted with one another. As a consequence, motives are often difficult to establish, especially as the compilers noted verdicts but seldom how they were reached. Furthermore, because court documents only reveal the level of reported crime, there is no way of calculating the number of misdeeds that failed to reach the justices' attention.

Prosecuting Crime

There were essentially three different means by which felonies came to the attention of the justices in eyre. The first involved a complainant making an appeal, that is a formal accusation against the perpetrators of the offence.¹³ In the late twelfth and early thirteenth centuries, an appellor was expected to offer trial by battle but later in the century, appeals tended to be tried by jury.¹⁴ The second way by which a crime came to the notice of the justices in eyre was by presentment, whereby a jury of local men reported (i.e. presented) to the royal justices specific acts of felony that had been committed within their hundred (or in Lincolnshire's case their wapentake) in reply to the articles of the eyre.¹⁵ The third was by indictment, whereby the local jurors gave the justices a schedule of persons whom they suspected of general criminal activities.¹⁶ In practice, these last two procedures were closely related and cannot always be separated. Both involved trial by ordeal (before 1215) or jury.¹⁷

¹¹ See, for example, *Glanvill*, 3-4; *Bracton*, II, 298-299. For suicide, see *Bracton*, 423-424.

¹² Domestic crime refers to crime carried out within a family or household setting, while professional crime refers to organised crime committed by habitual criminals. Henry Summerson's study of the medieval criminal underworld suggests that such a distinction existed in people's minds. See H. Summerson, 'The Criminal Underworld of Medieval England', *JLH*, XVII (1996), 197-224.

¹³ *Wilts. Eyre 1249*, 69.

¹⁴ *Glanvill*, 171-173; *ELAR*, xlix; A. Musson, *Public Order and Law Enforcement: The Local Administration of Criminal Justice, 1294-1350* (Woodbridge, 1996), 169-172.

¹⁵ *ELAR*, xlix; *Wilts. Eyre 1249*, 94; Musson, *Public Order*, 175; Pollock and Maitland, *The History of English Law*, II, 641-647.

¹⁶ *Wilts. Eyre*, 92-94; Musson, *Public Order*, 175; Pollock and Maitland, *The History of English Law*, II, 647-653.

¹⁷ Pollock and Maitland, *The History of English Law*, II, 647-653.

I now want to look more closely at the appeals by women to gain an impression of the attitude of the male legal establishment towards them.¹⁸ The legal treatises of the late twelfth and thirteenth centuries strongly suggest that, as in other areas of life, women were disadvantaged on the grounds of gender in so far as their ability to prosecute certain crimes was concerned. The circumstances in which a woman might make an appeal were strictly regulated. *Glanvill* stated that a woman was only permitted to make an appeal specifically for injury to her person in the case of rape and for the death of her husband, provided she had witnessed his final moments.¹⁹ Cap. 54 of Magna Carta in 1215 modified this slightly by providing that 'no one shall be taken or imprisoned upon the appeal of a woman for the death of anyone except her husband'.²⁰ A little later in the century, *Bracton* essentially repeated *Glanvill*'s provisions but now stipulated that the woman's husband had to have been killed 'in her arms' (*inter brachia sua*).²¹

C. A. F. Meekings has offered the most convincing explanation for these restraints on female appellors in his introduction to the crown pleas of the Wiltshire eyre of 1249. Observing that a woman was unable to offer trial by battle, Meekings has argued that this might have tempted men to manipulate women into bringing appeals against opponents on their behalf, thereby enabling men to harass their enemies without running the personal risk of participating in a judicial duel.²² The limiting rules were therefore probably a response to 'strong social pressure' to reduce opportunities for deception by confining a woman's right of appeal to those crimes that caused her the greatest personal hurt.²³ What Meekings found to be striking about the business of the Wiltshire eyre was that these restrictions were 'largely ignored' by both female appellors and royal justices alike so that women brought appeals for a wide variety of offences which 'were no less successful than the normal appeals of men'.²⁴ Let us briefly explore whether the evidence from the Lincolnshire eyres of 1202 and 1281-1284 supports or contradicts Meekings's findings.

¹⁸ All court officers, justices and jurors were men. The only jury on which women might act was a jury of matrons and this was only summoned if a female wrongdoer pleaded pregnancy and her claims needed to be verified by a physical examination. See Jewell, *Women in Medieval England*, 74, 111.

¹⁹ *Glanvill*, 173-176.

²⁰ Holt, *Magna Carta*, 466-467. *Nullus capiatur nec imprisonetur propter appellum femine de morte alterius quam viri sui*. This clause was retained in the 1216 and 1217 revisions of Magna Carta but was omitted from the definitive version of 1225.

²¹ *Bracton*, II, 419-420. See also *Britton*, I, 114.

²² *Wilts. Eyre 1249*, 88. See also *Glanvill*, 176.

²³ *Wilts. Eyre 1249*, 88.

²⁴ *Ibid.*, 88-90.

The sampled Lincolnshire crown pleas for 1202 and 1281-1284 record appeals brought by twenty women for crimes other than rape or the murder of a husband.²⁵ Twelve cases (one involving two female appellors) were dealt with by the 1202 eyre, while seven came to the royal justices' attention in 1281-1284.²⁶ One of the 1202 appeals was brought for the death of a father,²⁷ and another for the death of a brother.²⁸ The rest were for the wounding of the appellant's husband,²⁹ for the wounding of the appellant herself,³⁰ for the burglary of the appellant's house and imprisonment of the appellant,³¹ for the robbery of the appellant,³² and for breaking the king's peace.³³ Of the 1281-1284 female appeals, one was brought for the death of an apparently unrelated male,³⁴ another for the death of an uncle,³⁵ and another for the death of a brother and nephew.³⁶ Women also made appeals for assault, robbery, and theft committed against their property and persons.³⁷ It would therefore appear that both the earlier and later Lincolnshire crown plea material supports Meekings's research and shows that Lincolnshire women also initiated personal actions outside the restricted categories of female appeal. Nevertheless, it remains to be seen whether they enjoyed any degree of success.

It is possible to argue that the extraordinary appeals brought by women in 1202 were marked by a distinct lack of success. Not one of these cases reached a traceable satisfactory conclusion. Nine female appellors failed to follow through their appeals, a state of affairs which implies either that they themselves recognised that their appeals did not follow conventional practice and deemed it

²⁵ This figure does not include appeals brought by women for accessory offences such as force.

²⁶ This slight reduction in numbers might partially be explained by the increased use of presentment and indictment as the normal methods of prosecuting felonies as the thirteenth century progressed.

²⁷ *ELAR*, 112 no. 630.

²⁸ *Ibid.*, 119 no. 673.

²⁹ *Ibid.*, 104 no. 587, 129 no. 747.

³⁰ *Ibid.*, 110 no. 620, 115 no. 649.

³¹ *Ibid.*, 99 no 566.

³² *Ibid.*, 128 no. 736, 131 no. 764, 150-151 no. 913.

³³ *Ibid.*, 98 no. 560, 136 no. 798.

³⁴ PRO, JUST1/486, m. 4d. Both the victim and the appellant, however, came from the same village.

³⁵ PRO, JUST1/486, m. 8.

³⁶ PRO, JUST1/486, m. 10d. In this case, both the victim's sister and aunt brought separate appeals against the accused

³⁷ PRO, JUST1/486, mm. 15, 16, 16d.

pointless to continue or that they were subjected to some form of social pressure to discontinue.³⁸ Of the remaining four appeals, two were apparently left unresolved,³⁹ one woman's appeal was apparently adopted by her husband,⁴⁰ while the fourth failed on quite reasonable grounds but not apparently because of the appellor's sex.⁴¹ Even ordinary appeals brought by widows for their husbands' deaths did not necessarily result in favourable outcomes.⁴² Two of these women also failed to prosecute their suits,⁴³ and one case was apparently left unresolved because there was some confusion as to whether the appellor had tried to withdraw her suit.⁴⁴ In another case, the appellee sought sanctuary and abjured the realm before he could be tried, whereupon the widow unsuccessfully tried to proceed against the killer's accomplices.⁴⁵ This suggests that there was a strong social bias against women bringing suits that touched upon any aspect of criminal law in early thirteenth-century Lincolnshire.

The 1281-1284 Lincolnshire crown pleas record a smaller number of extraordinary appeals brought by women than those from 1202, but present a slightly more hopeful picture. One of the seven extraordinary appeals brought by a woman resulted in a conviction,⁴⁶ and just one woman failed to prosecute her suit.⁴⁷ Although a man accused of the theft of an ox by a woman escaped from prison, he was still outlawed.⁴⁸ Unfortunately, the final outcome of the case involving robbery is unknown.⁴⁹ None the less, the judgements of three other extraordinary female appeals resulted in disappointment

³⁸ *ELAR*, 98 no. 560, 104 no. 587, 110 no. 620, 119 no. 673, 128 no. 736, 129 no. 747, 150-151 no. 913. In one case, the wife's husband came and placed himself in mercy and withdrew from the appeal. See *Ibid.*, 136 no. 798.

³⁹ *Ibid.*, 99 no. 566, 131 no. 764.

⁴⁰ *Ibid.*, 115 no. 649. See also 111 no. 629.

⁴¹ *Ibid.*, 112 no. 630. Margery, daughter of Anger, appealed her sister Alice, Alice's daughter Basilia, and Alice's husband Ralph of murdering their father. The court discovered that the victim's death predated Basilia's birth and the case was dismissed.

⁴² The results of appeals of rape will be discussed below.

⁴³ *ELAR*, 119 no. 678, 149 no. 901.

⁴⁴ *Ibid.*, 152 no. 922.

⁴⁵ *Ibid.*, 131 nos. 763, 763a, 763b. For abjuration, see p. 225 below.

⁴⁶ PRO, JUST1/486, m. 15. Both parties in this case were women. They apparently reached an agreement, although the jurors still found the accused guilty of assault. The female appellor was arrested for non-attendance.

⁴⁷ PRO, JUST1/486, m. 4d.

⁴⁸ PRO, JUST1/486, m. 16d. For outlawry, see p. 225 below.

⁴⁹ PRO, JUST1/486, m. 16.

for the appellors. In the homicide case prosecuted separately by both the victim's sister and aunt, the accused persons were acquitted and both female appellors were committed to gaol for a false appeal.⁵⁰ Yet the failure of the appeal of Margery, daughter of Robert de Hampton, who had accused four men of killing her uncle ten years earlier, is by far the most interesting. Instead of basing their defence on the amount of time that had elapsed since the alleged crime had taken place, the defendants cited Magna Carta's supposed restrictions on a woman's right to bring an appeal or, to be more exact, they misquoted Magna Carta by stating that a woman could only bring an appeal for the death of her husband in her arms, for miscarriage and for rape, not for the death of her uncle.⁵¹ The rules that the accused men quoted were those found in contemporary legal treatises, with the exception of the appeal for unwanted abortion.⁵² In spite of the technical inaccuracies, the royal justices clearly acknowledged these principles; they ruled that this female appellant should also be imprisoned for making a false appeal.⁵³

The justices' attitude towards the appeal of Margery, daughter of Robert de Hampton, indicates that they might have looked more favourably on legitimate appeals brought by widows for the deaths of their husbands than those who presided over the 1202 eyre, and this sometimes appears to have been the case. Seven of the eleven such actions brought by widows were concluded successfully so that the accused was hanged or outlawed.⁵⁴ Moreover, although Matilda, widow of Nicholas fitzSimon of Swinstead, failed to follow through her suit for the death of her husband, the men whom she had accused of the crime were still successfully prosecuted by jury.⁵⁵ In so far as the other appeals brought by widows were concerned, one widow managed to secure the outlawry of one of her husband's killers and the two other men whom she appealed of the same crime were arrested and tried when the justices delivered the gaol.⁵⁶ Goda, widow of Richard de la Rue, was committed to

⁵⁰ PRO, JUST1/486, m. 10d.

⁵¹ PRO, JUST1/486, m. 8.

⁵² Admittedly, in the case of causing a miscarriage, Meekings observed a widening of the limiting rules during Henry III's reign to include this form of female appeal. See *Wilts. Eyre 1249*, 90.

⁵³ PRO, JUST1/486, m. 8d. Margery, daughter of Robert, was, however, pardoned because she was poor, suggesting that the justices sympathised with her plight.

⁵⁴ PRO, JUST1/486, mm. 1 (two widows appealed the same men of the deaths of their husbands who had been killed together), 4d., 5d., 12, 15d., 17.

⁵⁵ PRO, JUST1/486, m. 2d. Margaret Kerr has also observed that women's appeals for crimes other than the death of their husbands were often treated as indictments and tried by jury in the thirteenth century. See M. H. Kerr, 'Husband and Wife in Criminal Proceedings in Medieval England', in *Women, Marriage, and Family in Medieval Christendom: Essays in Memory of Michael M. Sheeham*, ed. C. M. Rousseau and J. T. Rosenthal (Kalamazoo, Michigan, 1998), 229-230.

⁵⁶ PRO, JUST1/486, m. 7.

gaol after the men whom she accused were cleared by the jury.⁵⁷ In the final case, the rolls simply record that the widow had not prosecuted her appeal and was to be arrested.⁵⁸ A woman's success in bringing any appeal depended heavily on the royal justices' and the local jurors' personal discretion. Meekings's hypothesis may go a little too far in its conclusions.⁵⁹

The Suspects and Victims of Crime

a) Rape

Christian teaching associated women with lust and sexual temptation, and stressed that sexual relations should only take place within marriage and then for reproduction rather than pleasure.⁶⁰ Yet it also recognised that women were not always willing participants in sexual intercourse. Although Roman law and the penitentials of the Early Middle Ages had defined *raptus* as abduction, in the twelfth century *raptus* was redefined by the canon lawyer, Gratian, in accordance with Justinian's law code, as a crime against the person (a woman) which involved abduction, violence and sexual intercourse without the victim's consent.⁶¹ In thirteenth-century England, *raptus* came within royal jurisdiction and it was defined as a crime committed by a male perpetrator against a female victim, whereby the victim was forced to engage in sexual intercourse against her will. It was not always associated with abduction. *Glanvill* explained that 'In the crime of rape, a woman charges a man with violating her by force in the peace of the lord king' and classified it as a felony punishable by death or loss of limbs.⁶² It was left to *Bracton* to render the serious sexual connotations of the crime more explicit by defining a rapist as a man who 'came... with his force, and wickedly and against the King's peace lay with her [his victim]'.⁶³

⁵⁷ PRO, JUST1/486, m. 6d. The person who had killed this widow's late husband had already admitted his guilt and abjured the realm before Goda made her appeal against two other men for his death.

⁵⁸ PRO, JUST1/486, m. 9.

⁵⁹ In the 1202 sample, there are three cases where husbands had brought personal actions on their wives' behalves for crimes which fell outside the limiting rule. One of these cases was unsuccessful (an assault case) and two (an assault and miscarriage case, and a burglary) ended in unspecified compromise agreements. See ELAR, 94 no. 533, 111 no. 629, 112-113 no. 638. No similar cases appear in the 1281-1284 sample.

⁶⁰ J. Murray, 'Hiding Behind The Universal Man: Male Sexuality in the Middle Ages', in *Handbook of Medieval Sexuality*, ed. Bullough and Brundage, 125-127; Richards, *Sex, Dissidence and Damnation*, 23-24.

⁶¹ Richards, *Sex, Dissidence and Damnation*, 30-31.

⁶² *Glanvill*, 175. *Raptus crimen est quod aliqua mulier imponit uiro quo proponit se a uiro ui oppressam in pace domini regis.* Crimes committed 'in the king's peace' were for the king to punish. See ELAR, xlix-l.

⁶³ *Bracton*, II, 416. ... *venit... cum vi sua, nequiter et contra pacem domini regis concubuit cum ea...*

Both *Glanvill* and *Bracton* provided that rape should be prosecuted by a personal action⁶⁴ and it was not until the first Statute of Westminster in 1275 that there was a clear statement that rape could still be prosecuted even if the victim did not sue in person.⁶⁵ Nevertheless, it is striking that *Bracton* selected the rape of virgins (*raptus virginum*) for special consideration, asserting that just as a virgin loses her 'member' when she is 'defiled', her attacker should lose his 'member' as punishment.⁶⁶ This idea of a virgin being corrupted by forced coitus was heavily influenced by the beliefs of the Fathers who had equated sexual abstinence and, more importantly, virginity with spiritual purity.⁶⁷ Yet *Bracton* recognised that a woman who was not a virgin might also be a victim of rape but stated that the penalty should differ in each case 'according as she is married or a widow living a respectable life, a nun or a matron, a recognised concubine or a prostitute plying her trade without discrimination of person'.⁶⁸ A woman's previous sexual history determined the severity of the offence: the more promiscuous the woman, the less drastic the castigating measure.

The Lincolnshire crown pleas of 1202 and 1281-1284 offer a useful indication of the extent to which practice mirrored theory in determining the success and outcome of rape cases at the beginning and end of the thirteenth centuries. The vast majority of records from both eyres are very brief, simply recording that a woman had accused a man of rape (*de rapo (sic)*) and noting the outcome, if any, of that case. My sample of crimes from nineteen wapentakes suggests a significant difference in the number of reported rapes that were prosecuted before the two eyres. Although twenty-seven cases of rape were dealt with by the royal justices in 1202, just four rapes were dealt with in 1281-1284.⁶⁹ All thirty-one victims had begun their prosecutions by bringing an appeal.

The fact that none of the female victims in my sample were identified as married or widowed women, can be interpreted in different ways. On the one hand, it suggests that wives and widows

⁶⁴ *Glanvill*, 175-176; *Bracton*, II, 415-416.

⁶⁵ J. B. Post, 'Ravishment of Women and the Statutes of Westminster', in *Legal Records and the Historian*, ed. J. H. Baker (London, 1978), 150-164. Presentments for rape were extremely rare before the first Statute of Westminster. See, for example, R. D Groot, 'The Crime of Rape *temp.* Richard I and John', *JLH*, IX (1988), 325-326.

⁶⁶ *Ibid.*, II, 414. ... *quod quidem crimen si convincatur, sequitur poena, scilicet amissio membrorum, ut sit membrum pro membro, quia virgo cum corrumpitur membrum amittit.*

⁶⁷ Murray, 'Hiding Behind The Universal Man', 125.

⁶⁸ *Bracton*, II, 415. *Sequitur tamen alia gravis et gravior, secundum quod fuerit nupta vel vidua honeste vivens, sanctimonialis, vel matrona. Item concubina legitima, vel alia quaestu faciens sine delectu personarum...* By the ninth century, the rape of a non-virgin was considered a less serious offence than the rape of a sexually inexperienced woman. See J. Coleman, 'Rape in Anglo-Saxon England', in *Violence and Society in the Early Medieval West*, ed. G. Halsall (Woodbridge, 1998), 194.

⁶⁹ The reasons for this difference in numbers will be discussed below. See p. 203 below.

were rarely subjected to sexual assault because their husbands (in the case of wives) and perhaps their children (in the case of widows) shielded them from attack. Perhaps wives and widows were accorded more respect in local society than single young women. Margaret Kerr's study of husbands and wives in a selection of thirteenth- and fourteenth-century criminal proceedings uncovered just one example (in 1312) of a husband bringing an appeal against another man for raping his wife.⁷⁰ It should, however, be remembered that there was no concept of marital rape in medieval England and the Church taught that husbands and wives owed a conjugal debt towards each other, whether or not one party was unwilling to engage in sexual relations.⁷¹

On the other hand, it seems more likely that accusations of rape were rarely brought by married and widowed women because the royal justices were more prepared to consider rape cases that involved unmarried females.⁷² Henry Summerson has found an appeal of rape brought by a widow before the 1244 Devon eyre that was rejected by the justices because a woman could only bring an appeal of rape for the rape of her virginity.⁷³ The entries in the Lincolnshire records that reveal something about the circumstances of an alleged rape tend to speak of the accused taking the victim's virginity by force. In 1202, Agnes Tredegold appealed William de Smethefeld 'that he entered the house where she was and seized her and beat her and took away her clothes and afterwards took away her virginity'.⁷⁴ Similarly, Leviva, daughter of Siwat, appealed Simon fitzAgge of rape, 'namely that he took away her virginity and afterwards held her bound in her house for eight days'.⁷⁵ In spite of *Bracton's* recognition that sexually experienced women as well as virgins might be raped, virginity prior to the assault was possibly an important prerequisite for the prosecution of cases before the king's justices.

⁷⁰ The accused in this case was acquitted; Kerr suggests that the woman in question had not been raped but had voluntarily left her husband for another man. See Kerr, 'Husband and Wife in Criminal Proceedings', 218-219.

⁷¹ *Women in England*, ed. and trans. Goldberg, 17; D. Herlihy, *Medieval Households* (London, 1985), 132.

⁷² Roger Groot argued that appellors in rape cases during the reigns of Richard I and John were probably unmarried females. See Groot, 'The Crime of Rape', 328.

⁷³ *Devon Eyre 1238*, xxxvii-xxxviii.

⁷⁴ ELAR, 150 no. 909. ...*quod intrauit in domo ubi fuit et eam cepit et eam uerberauit et abstulit ei panniculos suos. et postea abstulit ei uirginitatem...*

⁷⁵ *Ibid.*, 151 no. 916. ... *sc[ilicet] quod ipse abstulit ei uirginitatem suam et postea tenuit eam ligatam in domo sua per 8 dies.* See also *Ibid.*, 104-105 no. 590.

Table 5.1 - Results of Rape Cases in 1202 and 1281-1284

Result of Case	Rape (1202)	Rape (1281-1284)
Not guilty verdict	1	0
Suspect outlawed	0	1
Out of court settlement	2	0
Suit not prosecuted	22	1
Outcome unknown	2	0
Accused guilty	0	2
Total	27	4

The royal courts, entirely staffed and presided over by men, may not have had a great amount of sympathy for the female victims of sexual assaults. As table 5.1 shows, not one of the twenty-seven appeals of rape in the 1202 sample led to a conviction. Although twenty-two (81.5%) of these cases ended because the victim herself failed to prosecute her suit, this might have been symptomatic of the social pressure that these women came under to preserve their reputations. Two other cases were left unresolved, pending further litigation,⁷⁶ but another two cases resulted in a compromise agreement,⁷⁷ indicating that the defendants had something to hide, especially as in one instance the jury had previously heard that the victim had been covered in blood when she reported the attack to the coroner.⁷⁸

The poor chances of a rape victim bringing her attacker to justice might help to explain the disparity between the number of appeals dealt with by the 1202 and 1281-1284 eyres. It is, however, striking that in two of the four cases from the 1281-1284 eyre, the accused men were found guilty by jury in spite of the victim's failure to prosecute,⁷⁹ while in the third case, the alleged attacker was outlawed.⁸⁰ At the very least, these results suggest an increased willingness on the part of women only to appeal men of rape in the most cut and dry of cases. The increased potential for prosecuting rape by presentment in the late thirteenth century does not appear to have increased the confidence of rape victims in trying to bring their attackers to justice.

In the vast majority of rape cases, the location of the crime scene remains a mystery, making it hard

⁷⁶ *Ibid.*, 156 no. 938, 158 no. 953.

⁷⁷ *Ibid.*, 104-105 no. 590, 151 no. 916.

⁷⁸ *Ibid.*, 104-105 no. 590.

⁷⁹ PRO, JUST1/486, mm. 14d., 16. Neither entry reveals the perpetrator's punishment, simply stating that he should be arrested.

⁸⁰ PRO, JUST1/486, m. 10. In the fourth case, the last thing recorded was that the victim withdrew her suit. See JUST1/486, m. 10.

to ascertain whether these sexual assaults were premeditated or opportunistic. Just three of the twenty-seven accused rapists in 1202 had allegedly acted with accomplices who were appealed by the victims of force (*de vi*).⁸¹ Sometimes details are provided about the occupations and social statuses of the suspected rapists. Many of these men were probably quite prominent members of village society. There were two clerks,⁸² a carpenter,⁸³ the man (presumably an estate or household official) of William de Ros⁸⁴ and the man of Peter fitzAluric'.⁸⁵ This suggests that another reason why female victims were reluctant to continue in the prosecution of their suits was because they felt intimidated by the standing of their attackers.⁸⁶

Nevertheless, there is at least one case in the Lincolnshire material that suggests that a woman could be prepared to bring an appeal of rape in order to obtain revenge against a former lover, and perhaps even to solicit a proposal of marriage. Agnes Tredegold's appeal against William de Smethefeld' was the only one of the twenty-seven appeals in 1202 that actually came to full trial and it resulted in an acquittal for the alleged rapist. Her attacker, William de Smethefeld', was successfully able to defend the charge against him by claiming that 'then and before and after [the alleged attack] she was his bedfellow'.⁸⁷ His statement was supported by the findings of an inquiry that discovered that Agnes had made this appeal against him because William had pledged himself to another woman.⁸⁸

b) Homicide

English legal theory had long recognised that homicide (*homicidium*), in the sense of one person intentionally killing another, could be committed by members of both sexes. Legal texts suggest that women who intentionally killed could expect to be treated in a similar fashion to men who committed the same offence. In the early twelfth century, the *Leges Henrici Primi* had laid down that a woman who committed homicide was to answer for her crime herself or through her offspring or

⁸¹ *ELAR*, 148-149 no. 896, 119 no. 670, 157 no. 950. None of the alleged rapists in 1281-1284 were named with accomplices.

⁸² *Ibid.*, 158 nos. 953 and 956. One accomplice was also a clerk, see *Ibid.*, 119 no. 670.

⁸³ *Ibid.*, 150 no. 907.

⁸⁴ *Ibid.*, 148-149 no. 896.

⁸⁵ *Ibid.*, 150 no. 906.

⁸⁶ This line of argument is favoured by Groot. See Groot, 'The Crime of Rape', 328-329.

⁸⁷ *ELAR*, 150 no. 909. ...*tunc et prius et post fuit succuba eius*.

⁸⁸ *Ibid.*, 150 no. 909. *Juratores ergo dicunt quod reuera ipsa fuit ante et post succuba eius et quod ipsa fecit hoc appellum v[ersus] eum occasione cuiusdam femine quam ipse affidauerat*. See also Bracton, II, 416.

through her blood relatives, but neither her husband nor his innocent household should have vengeance taken against them.⁸⁹ By the late thirteenth century, however, an important distinction was made between male and female killers: a woman convicted of murdering her husband might be burnt to death, whereas a man convicted of murdering his wife could expect to be hanged.⁹⁰

Glanvill and *Bracton* described two forms of homicide. The first was committed secretly, so that it could not be followed by the hue and cry, and the second was committed by an identifiable killer.⁹¹ In the 1202 and 1281-1284 Lincolnshire crown plea rolls, over 376 people from our sampled wapentakes were suspected or accused of intentionally killing another person or of inflicting a fatal wound; homicide was a much more commonly reported crime than rape. This figure (and those that follow) should only be treated as a rough estimate. In fifty-four cases, the crown plea rolls either acknowledged that it was not known who had committed the crime or described the perpetrators as 'unknown malefactors' (*malefactores ignoti*). The court records do not always clearly distinguish between homicides and deaths in suspicious circumstances. Moreover, it is difficult to tell how many homicides were concealed as accidental deaths for the convenience and protection of those concerned. There are occasional signs that this could and did happen, and that local communities even protected female attackers. During the 1281-1284 eyre, a presenting jury informed the royal justices that Elena, daughter of Simon of Surfleet, had been killed and cast into a ditch. Another woman, Cecily, daughter of Hubert Haliday of Surfleet, was suspected of carrying out the evil deed. During the course of the hearing, it also came to light that no mention of this felony had been made by the neighbouring vills at the coroner's inquest, which had recorded that Elena had drowned through misadventure.⁹²

Of those 322 persons who were accused or suspected of homicide and named in the 1202 and 1281-1284 samples, eighteen (5.6%) were female and 304 (94.4%) were male. Breaking these figures down further, three (5.8%) of the accused/suspected killers in the 1202 sample were female and

⁸⁹ *Leges Henrici Primi*, ed. and trans. L. J. Downer (Oxford, 1972), 223. *Si mulier homicidium faciat, in eam vel in progeniem vel parentes eius vindicetur, vel inde componat, non in virum suum vel clientelam innocentem.*

⁹⁰ Britton, I, 41; J. G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, 1970), 87, 226-228. In 1352, the great statute of treasons classed the intentional killing of a husband by a wife, the killing of a master by his servant, and the killing of a prelate by a lesser cleric as forms of petty treason, presumably because these crimes all upset the natural order.

⁹¹ *Glanvill*, 174-175; *Bracton*, II, 298, 340-341, 378-379. A secret murder incurred a fine payable by the wapentake if the English descent of the victim could not be established. At the beginning of the thirteenth century, Englishry was presented on at least one occasion in Lincolnshire and the murder fine was incurred for either the murder of a man or a woman. Later it became the custom in this county not to present Englishry but to allow *murdrum* to be adjudged in all cases of murder when the victim was a man. *Murdrum* could no longer be adjudged when the victim was a woman. See *ELAR*, liv; *Somerset Pleas (Civil and Criminal), from the Rolls of the Itinerant Justices*, ed. C. E. H. Chadwyck-Healey (Somerset Record Society, XI, 1897), lxxviii.

⁹² PRO, JUST1/486, m. 10d.

forty-nine (94.2%) were male. In the 1281-1284 sample, fifteen (5.6%) suspected killers were female and 255 (94.4%) were male. In spite of a dramatic increase in the amount of homicidal business dealt with by the king's itinerant justices when they visited Lincolnshire in 1281-1284 compared with that in 1202, the comparative rates of male and female murder suspects remained the same.⁹³

Table 5.2 - Results of Homicide Cases in 1202 and 1281-1284

Result of Case	Homicide 1202 Men Accused	Women Accused	Homicide 1281-1284 Men Accused	Women Accused
Accused declared quit	6	2	19	0
Suspect abjured realm	3	0	23	2
Suspect outlawed	7	0	160	0
Suspect waived	0	0	0	8
Accused convicted and hanged	0	0	11	1
Accused guilty (sentence not recorded)	0	0	1	0
Accused pardoned by king	0	0	3	0
Accused died in /escaping from prison	0	0	10	3
Suit not prosecuted	11	1	14	0
Outcome unknown	21	0	12	1
Case transferred to church court	1	0	2	0
Total	49	3	255	15

If the comparative numbers of male and female suspected killers support Given's and Hanawalt's arguments that women were far less actively involved in violent crime than men, the conviction rates for the killings in the 1202 sample confirm this impression. Two of the three women accused/suspected of homicide in 1202 were acquitted⁹⁴ and the case against the third woman was not prosecuted.⁹⁵ The results of the cases involving female suspected killers in 1281-1284, however, suggest that the accusations or suspicions against these women were largely justified. Of the fifteen accused/suspected female killers in 1281-1284, for example, one (6.6%) was convicted and hanged,⁹⁶ two (13.3%) admitted their guilt before the coroner and abjured the realm,⁹⁷ and another eight

⁹³ The difference in the amount of business dealt with by the eyres of 1202 and 1281-1284 can perhaps be explained by the intervals between these eyres and the preceding eyres. The 1202 visitation took place four years after the 1198 eyre, but the 1281-1284 visitation took place a decade after the 1271-1272 eyre.

⁹⁴ *ELAR*, 112 no. 630. These two women were prosecuted by appeal.

⁹⁵ *Ibid.*, 111 no. 628.

⁹⁶ *PRO*, JUST1/486, m. 12.

⁹⁷ *PRO*, JUST1/486, mm. 7, 10d.

(53.3%) were waived.⁹⁸ To some extent, this latter set of results reflects the fates of male homicide suspects during the same eyre: eleven (4.3%) of the 255 males accused of this crime were convicted and hanged; twenty-three (9%) abjured the realm and one hundred and sixty (62.7%) were outlawed. In homicide cases, the severity of the offence overrode any considerations as to the sex of the offender when judgement was passed.

Gender not only exerted an important influence on the frequency of male and female homicidal behaviour but also affected whether or not killers committed their crimes with the assistance of other people. Thirty-one of the accused/suspected killers who are named in the sampled crown pleas for 1202 acted in company and were alleged to have carried out thirteen killings, while in the 1281-1284 sample, one hundred and thirty accused/suspected killers who are named acted in company and were alleged to have carried out forty killings. In addition to this, the accused/suspected killers in seven cases in 1202 were believed to have received external assistance from at least eleven accomplices who were accused of committing accessory offences, including wounding, force and advice.⁹⁹ In 1281-1284, the accused/suspected killers involved in three deaths were alleged to have received assistance from eleven such accomplices. An analysis of all these cases also supports Given's argument that women were less likely than men to become involved in homicide by acting alone.¹⁰⁰

A female killer was more likely than a male killer to act in company and her partners in crime tended to be men rather than women. All three women who were accused/suspected of homicide in 1202 were thought to have acted in male company, while twenty-eight male accused/suspected killers (or 57.1% of all named male killers) were alleged to have done the same.¹⁰¹ In 1281-1284, ten women (or 66.6% of all named female killers) were thought to have acted in company: seven female accused/suspected killers were alleged to have acted in masculine or mixed-sex company,¹⁰² and

⁹⁸ PRO, JUST1/486, mm. 3, 10, 10d., 11d., 12 (x2), 13d., 17. I have assumed that Elizabeth, concubine (*concubyna*) of Reginald the skinner, was waived because the roll records that Elizabeth and her male partners in crime were all outlawed for the death of Hugh fitzRobert. As women could not technically be outlawed, it seems that this was an oversight on the part of the court clerk. For outlawry and its female equivalent, waiving, see pp. 225-226 below.

⁹⁹ In one case the number of people accused of the accessory offence of force was not specified. See *ELAR*, 119 no. 679.

¹⁰⁰ Given, *Society and Homicide*, 144.

¹⁰¹ For the women accused of homicide, see *ELAR*, 111 no. 628, 112 no. 630. Although none of the three women was convicted, the fact that their accusers believed that they had acted in male company is still instructive about perceptions of female involvement in violent crime.

¹⁰² PRO, JUST1/486, mm. 3 (one woman who was waived with one man who was outlawed), 10d. (one woman with one man; both abjured the realm), 11d. (one woman who was probably waived with three men who were outlawed; two other female suspects and two other male suspects died in prison), 13d. (one woman who was waived with one man), 16d. (one woman who died in prison with one man who was outlawed).

three acted in the company of women only.¹⁰³ 120 male accused/suspected killers (or 47% of all named male killers) in the same sample were alleged to have acted in company but just nine of these men were alleged to have acted in mixed-sex company.¹⁰⁴ This makes us wonder just how far female involvement in homicide was subject to male manipulation.

Those women who were accused/suspected of participating in homicide were particularly likely to experience male influence within the family and the home. The two women in 1202 who were accused of being accessories to homicide, were the wife and daughter of Alured the carpenter, who had abjured the realm for killing a man called Godwin.¹⁰⁵ During the same eyre, Rumfar fitzRobert, his wife Alice and his son Robert were all appealed for the death of Alice, widow of Ralph.¹⁰⁶ In 1281-1284, Reginald the skinner and Reginald's concubine Elizabeth were both implicated in the death of Hugh fitzRobert,¹⁰⁷ and Peter de Tykhill' and his wife, Agnes of Huntingdon, were suspected of killing Lucy de Haghthorp.¹⁰⁸ Unfortunately, the relationship between people who were accused of killing the same victim is often difficult to establish. Nevertheless, the occasional appearance of husbands, wives and lovers raises the closely related questions of how suspected attackers were acquainted with their victims and how many homicides and accusations of foul play resulted from domestic disputes.

The 1202 and 1281-1284 samples of crown pleas cover 286 reported killings.¹⁰⁹ In the forty-three cases reported in 1202, eight victims (18.6%) were female. In the 243 cases in 1281-1284, just twenty-one victims (8.6%) were women. Not only were considerably fewer women than men accused or suspected of homicide but considerably fewer women than men were also the victims of homicide. Gender even seems to have influenced whether people became the targets of violent crime. The locations of crimes were seldom recorded, making it difficult to test Given's hypothesis that women were less often involved in homicide than men because they played a more restricted role in society with fewer obligations outside the family that could expose them to potentially

¹⁰³ PRO, JUST1/486, m. 12 (three women).

¹⁰⁴ PRO, JUST1/486, mm. 3, 10d., 11d., 13d., 16d.

¹⁰⁵ ELAR, 131 no. 763. The two women appealed of accessory offences in 1281-1284 were suspected of helping male killers to whom they appear to have been unrelated. See PRO, JUST1/486. mm. 5d., 10.

¹⁰⁶ ELAR, 111 no. 628.

¹⁰⁷ PRO, JUST1/486, m. 11d.

¹⁰⁸ PRO, JUST1/486, m. 16d.

¹⁰⁹ These figures include persons killed by unidentified persons.

dangerous situations.¹¹⁰ None the less, an assessment of the relationship, in terms of gender and family, between the victims and their accused/suspected killers can provide vital clues about motives.

Table 5.3 below shows a statistical breakdown, according to the sex of the victim and the sex of the attacker, of those cases of homicide where the accused/suspected attackers were named in the sampled crown pleas for the 1202 and 1281-1284 Lincolnshire eyres. The results clearly indicate that the vast majority of reported killings in thirteenth-century Lincolnshire were committed by men against other men. Thirty-seven (97.4%) of the thirty-eight male victims in the 1202 sample, and 166 (96.5%) of the 172 male victims in the later sample were killed by members of the same sex. In so far as the female victims of homicide were concerned, the results also suggest that on the rare occasions when women were reported killed, their accused/suspected attackers were more likely to be male than female. One of the two female victims in the 1202 sample and twelve (70.6%) of the seventeen female victims in the later sample were thought to have been killed by male attackers.

Table 5.3 - Gendered Patterns of Attack in Homicide Cases in 1202 and 1281-1284

Gendered patterns of attack	1202	1281-1284	Gendered patterns of attack	1202	1281-1284
Men attacking men	37	166	Women attacking women	0	3
Women attacking men	0	3	Men attacking women	1	12
Men and women attacking men	1	3	Men and women attacking women	1	2
Total victims with accused/suspected killers	38	172	Total victims with accused/suspected killers	2	17

Although the figures from the samples are too small to allow a statistical analysis of those family relationships that could be particularly susceptible to strain, there are signs that domestic disputes lay behind some homicides at least. We can also tentatively suggest that when women were driven to kill, their victims tended to belong to the immediate circle of their family. Three women in 1281-1284 appear to have killed their husbands.¹¹¹ The only example of intra-familial infanticide within the sampled crown pleas involved two sisters, Lecia de Grymescroft and Katherine her sister, who killed Lecia's son Richard.¹¹² Family relationships provided an important point of social focus for women's lives.¹¹³

¹¹⁰ Given, *Society and Homicide*, 141-142.

¹¹¹ PRO, JUST1/486, mm. 1d. (Alice of Tallington), 10 (Isabella Scot), 10d. (Beatrice, wife of William fitzAlan of Kirton, acting with Robert her son).

¹¹² PRO, JUST1/486, m. 12. Both women fled and were waived.

¹¹³ I have also found an example of a wife who was suspected of helping her husband to murder her brother-in-law. See PRO, JUST1/486, m. 3.

Although legal theory and religious teachings sanctioned the husband's right to discipline his wife,¹¹⁴ there was a point when physical punishment could go too far, and the courts condemned husbands who murdered their wives. In 1202, the justices in eyre at Lincoln heard how Roger fitzAilric had fled for the death of Matilda his wife.¹¹⁵ When the eyre visited Lincolnshire in 1281-1284, the justices heard that William Faukes had killed Matilda his wife and had fled and been outlawed.¹¹⁶ The same eyre also learnt that Godfrey Pumplot, who had killed Beatrice his wife with a knife in the vill of Swineshead, had immediately gone to the local church, admitted his crime and abjured the realm.¹¹⁷

The absence of convictions makes it difficult to determine whether male and female criminals who attacked persons of the opposite sex were treated differently by the courts from those who preyed on persons of the same sex. The relatively small number of reported killings that took place within the family is surprising, even if allowance is made for the possibility that homicides that took place within the privacy of the home were easier to conceal than those that took place elsewhere. Yet the Lincolnshire evidence for the early and late thirteenth century fits in comfortably with Summerson's findings for the Devon Eyre in the middle part of the century (1238); homicide within the strong socially and religiously enforced structure of the family was either a rare occurrence or, like rape, was seriously underreported.¹¹⁸

A large number of men and women who were murdered by people other than their close relations may simply have met untimely ends because they were in the wrong place at the wrong time and/or possessed items coveted by other persons.¹¹⁹ The reported deaths of three women and fifteen men were associated with burglaries in the sample of crown pleas from 1281-1284. It may also be significant that forty victims (including two women) in the same sample were thought to have been killed by perpetrators who were described as 'strangers' (*extranei*) or 'vagabonds' (*vacabundi*) and who

¹¹⁴ A royal writ could be brought against a husband who disciplined his wife beyond that 'permitted lawfully and reasonably to a husband for the purpose of control and punishment of his wife' (*ad virum suum ex causa regiminis et castigationis uxoris suae licite et rationabiliter pertinet*). See Pollock and Maitland, *The History of English Law*, II, 436 n. 1; Kerr, 'Husband and Wife in Criminal Proceedings', 214.

¹¹⁵ *ELAR*, 157 no. 942.

¹¹⁶ PRO, JUST1/486, m. 8d. William of Kingston was also outlawed for the death of his wife. See PRO, JUST1/486, m. 11d.

¹¹⁷ PRO, JUST1/486, m. 10d.

¹¹⁸ *Devon Eyre 1238*, xxix.

¹¹⁹ Even the locations of killings are seldom provided in this source material.

therefore lived outside the thirteenth-century law-enforcement system of tithings.¹²⁰

c) Suicide

In thirteenth-century England, suicide was regarded as a felony that the perpetrator committed against himself or herself.¹²¹ *Bracton* recognised essentially four types of suicide: that committed by criminals fearful of punishment; that committed by persons who were weary of life or in great pain; that committed through anger and ill-will; and that committed by the insane.¹²² The penalties were supposed to differ for each. Accordingly, the goods of criminals who committed suicide were to be confiscated because they had known that they deserved to die and the same applied to those who ended their own lives through anger and ill-will. Those who killed themselves because of weariness forfeited their moveable property but their heirs could still inherit their lands, while those who were mad lost no property.¹²³ No distinction was made between the treatment of male and female suicides.

Just one suicide, committed by a man, was recorded in the 1202 sample of Lincolnshire crown pleas,¹²⁴ but three women and two men were judged to have taken their own lives in the 1281-1284 sample.¹²⁵ Although statements of motive were not recorded, none of the victims were referred to as suspected criminals or being insane.¹²⁶ Two of the women were married and it is possible, although impossible to prove, that their actions arose out of unhappy domestic circumstances. The court record stated that Alice, daughter of Thomas de Elnestow, who hanged herself in the vill of

¹²⁰ Male attackers were more often classed as strangers and vagabonds than female attackers. Just one victim (a man) was killed by a female vagabond (Isabella Scot who murdered her own husband, see PRO, JUST1/486, m. 10) and just one woman was killed by strangers of both sexes (Lucy de Haghthorp was killed by a husband and wife, who were described as strangers from Yorkshire, see PRO, JUST1/486, m. 16d.). All the other murders alleged to have been perpetrated by these types of person were committed by men. The absence of such categories of person in 1202 might be explained by an increased awareness of the problems associated with the maintenance of law and order later in the century. See R. W. Kaeuper, 'Law and Order in Fourteenth-Century England: The Evidence of Special Commissions of Oyer and Terminer', *Speculum*, LIV (1979), 734-784. For thirteenth-century local law enforcement, see H. Summerson, 'The Structure of Law Enforcement in Thirteenth-Century England', *AJLH*, XXIII (1979), 313-327; D. A. Carpenter, 'Kingship and the Maintenance of Peace: England in the Twelfth and Thirteenth Centuries', in *England and Germany in the High Middle Ages*, ed. A. Haverkamp and H. Vollrath (Oxford, 1996), 105-125.

¹²¹ *Bracton*, II, 423-424. See also A. Murray, *Suicide in the Middle Ages. Vol. I. The Violent Against Themselves* (Oxford, 1997).

¹²² *Bracton*, II, 423-424.

¹²³ *Ibid.*, II, 424.

¹²⁴ *ELAR*, 99 no. 564.

¹²⁵ PRO, JUST1/486, mm. 7d., 8d., 9d. (one female suicide and one male suicide), 16.

¹²⁶ Summerson observed the same thing about the 1238 Devon eyre. See *Devon Eyre 1238*, xxxvi.

Pinchbeck, had no chattels because she had a husband.¹²⁷ It is particularly striking that Alice, wife of William fitzRichard, hanged herself in her husband's house.¹²⁸ In so far as it is possible to tell, the chosen method of death was not gender-orientated. Three men and two women opted to hang themselves, while the third woman, Elena, daughter of John le Wyn, drowned herself. The chattels of Elena, who appears to have been unmarried or widowed, were valued at 20s. 5d., suggesting that her suicide might have been influenced by emotional depression rather than financial worries.¹²⁹ The records are too sparse to draw any firmer conclusions.

d) Theft

Bracton recognised essentially two forms of theft: robbery and larceny. Robbery was punishable by death or mutilation,¹³⁰ and was distinguished from larceny because it involved the use or threat of force.¹³¹ In so far as larceny was concerned, there was a difference between manifest theft, where a thief was caught in possession of stolen goods by their owner, and non-manifest theft, where a theft had been carried out secretly.¹³² A distinction was also made between the theft 'of a large thing and of a very small thing'.¹³³ *Bracton* stated that the type of object stolen and its value should determine whether a convicted thief should be put to death or flogged.¹³⁴ By *Britton's* time, thieves who stole goods worth more than 12d. were to be put to death, while those who stole goods worth under 12d. were to be placed in the pillory or mutilated.¹³⁵

A good deal of attention was paid by legal theorists to whether a wife, in her husband's *potestas*, should be held liable for her husband's theft. Echoing Cnut's second law code (1020-1023), *Bracton* held that a wife might be liable if the stolen goods were discovered, locked up, in her store-room, her

¹²⁷ PRO, JUST1/486, m. 9d. According to legal theory, a wife conveyed all her possessions to her husband on marriage. See pp. 15-16 above.

¹²⁸ PRO, JUST1/486, m. 8d. Alice was also said to have had no chattels, presumably because she was married.

¹²⁹ PRO, JUST1/486, m. 7d.

¹³⁰ *Glanvill*, 3; *Bracton*, II, 298.

¹³¹ *Bracton*, II, 412.

¹³² *Ibid.*, II, 425.

¹³³ *Ibid.*, II, 427-428.

¹³⁴ *Ibid.*, II, 427-428.

¹³⁵ *Britton*, I, 61.

chest or her cupboard, all places for which she traditionally held keys.¹³⁶ In the opposite circumstances, the husband was presumed to have consented to his wife's actions unless he expressly dissented or there was reason to believe that he was law-abiding and had distanced himself from her company.¹³⁷ As husbands and wives who acted together were 'partners in crime', so they were to be 'partners in punishment'.¹³⁸

A significant distinction was, however, made between wives, concubines and housemaids. Whereas a wife might be discharged for her husband's crime, a concubine or housemaid was held to have consented to her lover's or master's misdeed unless she had made the accusation against him herself or had withdrawn from his service.¹³⁹ *Bracton* clearly recognised that it was a wife's duty to obey her husband because she was bound to him by matrimony. Yet a female servant was not bound to obey her master because she could exercise a choice as to whether or not she worked for him. A concubine was also felt to be able to exercise a choice because she could choose to stay with her lover or leave him. Nevertheless, *Bracton's* treatment of the concubine is particularly interesting, especially as it was considered to be less acceptable for a woman to be unchaste outside marriage than for a man.¹⁴⁰ Laura Gowing's research into the language of slander and insult in early modern London has suggested that women who engaged in sexual relationships outside marriage were often presented as 'the dishonest opposites of the ideals of wifhood'.¹⁴¹ Perhaps this element of sexual dishonesty also coloured thirteenth-century legal attitudes towards concubines.

Before looking at the involvement of women in property-related crimes in thirteenth-century Lincolnshire, it should be noted that, with the exception of *Britton*,¹⁴² the legal treatises failed to make the modern distinction between robbery and burglary. Nevertheless, the compilers of the 1202 and 1281-1284 crown plea rolls spoke of both robbery (*roberia*) and burglary (*burgaria*). Sometimes the language distinguishing the one from the other became blurred, and the clerks recorded burglaries that also involved assault and/or homicide alongside descriptions of robberies that involved housebreaking. For the purpose of this study, all thefts that involved entering a building in order to

¹³⁶ *EHD* I, 466 (Cnut, II, caps. 76, 76.1, 76.1a, 76.1b); *Bracton*, II, 428.

¹³⁷ *Bracton*, II, 428.

¹³⁸ *Ibid.*, II, 428. ... *desicut sunt participes in crimine, ita participes erunt in poena*.

¹³⁹ *Ibid.*, II, 428-429. *De concubina vero vel famula domus, non erit ita sicut de uxore. Ipsae vero accusare tenentur vel a servitio recedere, alioquin videntur consentire*.

¹⁴⁰ See Richards, *Sex, Dissidence and Damnation*, 36-37.

¹⁴¹ L. Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996), 105-110.

¹⁴² See *Britton*, I, 42, for burglary.

steal, regardless of whether they were accompanied by physical assault, have been classified as burglaries. Thefts which were conducted using violence but which did not involve forcible entry have been classified as robberies.

The sampled crown pleas from the Lincolnshire eyres of 1202 and 1281-1284 that concern robbery and burglary confirm the impression that patterns of criminal behaviour were gender-orientated and that men were far more often the perpetrators of violent crime than women. All the persons who were accused/suspected of committing robberies and burglaries in both samples were male.¹⁴³ It is only in the secondary role of accessory that women make brief appearances. In 1281-1284, a jury presented that two men and other malefactors had burgled the house of Richard le Porter and assaulted him. The jurors bore witness that both Richard's wife and Richard's maidservant had consented to the felony.¹⁴⁴ The involvement of these women raises the possibility that the burglary was perhaps a ruse for an attack on a hated husband and master.

The case in the 1202 sample where a woman was accused of being an accessory in a case of robbery and abduction was also far from straightforward. Thomas fitzLefwin appealed Alan the reaper of assaulting him as he travelled along the road and of employing force to carry him off to his house. According to Thomas, Alan hit him, breaking a small bone in his arm, robbed him of his cloak and knife, and held him while Emma, Alan's wife, cut off one of his testicles and another man, Ralph Pilate, cut off the other. Alan then returned his victim to the road.¹⁴⁵ Thomas fitzLefwin was the victim of a highly unusual attack. Although it was Alan the reaper who took the lead in abducting the victim in the first place, the behaviour displayed by his wife, whether it was wholly at her husband's instigation or not, was not only exceptional but shocking.¹⁴⁶ I have encountered no other cases where it was reported that a victim's sexual organs had been deliberately mutilated. Doris Stenton has suggested that the injuries inflicted on Thomas were intended as a form of revenge for a sexual assault on a woman in Alan's family.¹⁴⁷ This would explain Alan's decision to return Thomas

¹⁴³ Thirty-eight men were accused/suspected of robbery and eighteen men of burglary in 1202. Eight men were accused of robbery, four of robbery and homicide, and five of burglary in 1281-1284. These figures discount one case of robbery and homicide in 1202 and sixteen cases of burglary and homicide in 1281-1284 committed by unidentified persons.

¹⁴⁴ PRO, JUST1/486, m. 1. The two identifiable male perpetrators were outlawed. Richard's wife was later found guilty. The court heard that Richard's maidservant was residing in the county of Rutland and she was to be arrested. Richard appears to have died as a result of the assault as his wife is referred to as his widow in these proceedings.

¹⁴⁵ *ELAR*, lix, 133 no. 773.

¹⁴⁶ *Ibid.*, lix, 133 no. 773.

¹⁴⁷ *Ibid.*, lix, 133 no. 773.

to the road afterwards, and account for the justices' lenient attitude towards all three perpetrators.¹⁴⁸ Thomas's suit failed on two relatively minor technicalities: 1) the king's sergeant had visited Alan's house and found the stolen knife and Thomas's testicles but not Thomas's cloak; 2) the county bore witness that Thomas had not previously appealed Alan of breaking a bone in his arm during the abduction.¹⁴⁹

Just as women were rarely reported as having committed robbery, so did they seldom feature as victims. Just four (10.8%) of the thirty-seven victims of robbery whose cases came before the justices in eyre in the 1202 sample were women. Juliana of Creton, for example, appealed the Lincolnshire knight Adam de Merle of beating and robbery (*de verberacione et roberia*), indicating that robbery was not just a crime perpetrated by the lower classes. Adam was, however, unable to answer this charge because he was overseas in the king's service, and his pledges were amerced because he had not come before the justices before he left the country.¹⁵⁰ Just one of the seven victims of robbery in the 1281-1284 sample was a woman, Matilda, daughter of William Daddy of Somercotes, who appealed three men of robbery (*de roberia*) and three men of force and assistance (*de vi et auxilio*).¹⁵¹ It is hard to establish what it was that made certain women more vulnerable to this crime than other members of their sex.

Slightly more can be learned about the female victims of burglaries because the items stolen were sometimes recorded. The presence of two female victims was recorded in two of the ten burglaries in 1202. Ralf Ferrars appealed Ralph fitzJordan of assaulting Agnes his wife, of robbing five shillings in silver, two silver rings and two silver brooches from her, of wounding her in the head and of breaking the windows of the house.¹⁵² Christiana, sister of Baldric, appealed Ralph fitzJocelin of breaking into her house, robbing eight marks, seizing her and imprisoning her.¹⁵³ In another case, three men were accused by one of Lord Ralph de Waterville's men of coming to his lord's house, assaulting his lord and ejecting him by armed force, and seizing various chattels, including a gold brooch that belonged to his lord's wife 'that was in the casket of his lord's wife' (*in scrinio uxoris*

¹⁴⁸ But look at the justices' attitude towards rape victims. See pp. 202-204 above.

¹⁴⁹ *ELAR*, lix, 133 no. 773.

¹⁵⁰ *Ibid.*, xxiii, 131 no. 764. For the other cases where women appealed men of robbery, see *Ibid.*, 128 no. 736, 150-151 no. 913.

¹⁵¹ *PRO*, JUST1/486, m. 16.

¹⁵² *ELAR*, lii-liii, 112-113 no. 638. I have treated this example as a burglary rather than a robbery because the house windows were broken, indicating that the crime had involved forced entry into a building. The two parties in this case were instructed to come armed to Lincoln for a judicial duel, but they preferred to come to an agreement.

¹⁵³ *Ibid.*, 99 no. 566. The outcome of this case is unrecorded.

domini sui).¹⁵⁴ Presumably female jewellery was particularly attractive to burglars because it was valuable and easily transportable. It is interesting that Christiana, sister of Baldric, apparently kept a substantial sum of cash in her home.

Although the very nature of the crime meant that both propertied men and women were vulnerable to burglary, women who lived on their own were especially exposed to this type of crime. One of the female burglary victims in the 1202 sample¹⁵⁵ and two of the three female victims who were killed during burglaries in the 1281-1284 sample apparently lived on their own.¹⁵⁶ Both Helewisa Gladewyne and Mabel Cardynans were killed when unknown malefactors burgled their houses in Westborough and Strubby.¹⁵⁷ The daily lives of most women, regardless of social status, were often more firmly located around or within the immediate vicinity of the home than that of their husbands.¹⁵⁸ Married women might therefore also have experienced periods of being at home alone, like the wife of Ralph Ferrars when she was attacked and had goods stolen.¹⁵⁹

Of all the property-related crimes, women in thirteenth-century Lincolnshire were most likely to be accused/suspected of the non-violent crime of larceny, supporting the findings of Hanawalt's research into female felons in early fourteenth-century England.¹⁶⁰ Even for this particular offence, the overall level of female involvement was still far lower than that of men. Women simply do not appear to have engaged in any form of property-related crime to anything like the same extent as men. Admittedly, there were only two cases of larceny, both involving male perpetrators, in the 1202 sample of Lincolnshire crown pleas¹⁶¹ because this offence had not yet fully come within the jurisdiction of the king's courts.¹⁶² In the 1281-1284 sample, however, just twenty-five women were accused/suspected of theft, compared with 316 men.

¹⁵⁴ *Ibid.*, lviii, 126-127 no. 731. William and Lord Ralph later came and withdrew their suit.

¹⁵⁵ *Ibid.*, 99 no. 566.

¹⁵⁶ See PRO, JUST1/486, mm. 7, 14. The third female victim, Emma of Alford, was killed when the house of Alan *ad ecclesiam* of Ingoldmells was burgled. See PRO, JUST1/486, m. 13. In a fourth case, where the woman's husband was murdered but she survived, the presenting jurors were amerced for failing to mention that the wife was present at the crime scene. See PRO, JUST1/486, m. 1.

¹⁵⁷ PRO, JUST1/486, mm. 7, 14.

¹⁵⁸ See, for example, pp. 178-179 above.

¹⁵⁹ *ELAR*, lii-liii, 112-113 no. 638.

¹⁶⁰ Hanawalt, 'The Female Felon', 262.

¹⁶¹ *ELAR*, 129 no. 750; 158 no. 954.

¹⁶² According to *Glanvill*, thefts came within the sheriff's jurisdiction. See *Glanvill*, 177.

Although gender determined that fewer men than women probably engaged in theft, the results of the cases outlined below in table 5.4 indicate that gender did not play a significant role in determining the fate that awaited suspected thieves. Men and women who were accused/suspected of theft stood a more or less equal chance of getting away and both sexes were treated similarly by the royal justices. 227 (71.8%) of the 316 male suspects, for example, were outlawed and eighteen (72%) of the female suspects were waived. Fifty-one (16.1%) of the male suspects fled to a church and abjured the realm, as did four (16%) of the female suspects.

Table 5.4 - Results of Theft Cases in 1281-1284

Result of Case (1281-1284)	Men Accused	Women Accused
Accused declared quit	2	1
Accused not guilty, but chattels declared forfeit for flight	22	2
Suspect abjured realm	51	4
Suspect outlawed	227	0
Suspect waived	0	18
Accused convicted and hanged	4	0
Accused escaped from custody, fate unclear	9	0
Accused killed by accomplice	1	0
Total	316	25

Most of the men and women who engaged in larceny in thirteenth-century Lincolnshire and elsewhere were undoubtedly driven to it by the need to survive. The years immediately before and after the eyre of 1281-1284 were particularly difficult times for rural communities in Lincolnshire. Hallam's research has suggested that the years 1272, 1274, 1277-1278 and 1280 saw droughts, and that the years 1284-1291 were also unusually dry.¹⁶³ As crops withered, hardship probably became widespread in the countryside. Against this background, it is striking that eight female thieves (32% of all suspected/accused female thieves) and eighty-four male thieves (26.6% of all accused/suspected male thieves) were described as vagabonds, and another three female thieves (12% of all suspected female thieves) and a further twenty-seven male thieves (8.5% of all suspected male thieves) were described as strangers (*extranei*) in the 1281-1284 sample of crown pleas. The distribution of these terms between the sexes suggests that women who turned to theft were perhaps more likely than men to have been displaced from local communities and to have been forced, perhaps by discriminatory inheritance practices and a competitive labour market, to engage in illicit activities to stay alive.

¹⁶³ H. E. Hallam, *Settlement and Society: A Study of the Early Agrarian History of South Lincolnshire* (Cambridge, 1965), 123.

Unfortunately it is often hard to assess how gender influenced patterns of criminal association among thieves due to the layout of the Lincolnshire crown plea rolls. Theft virtually only comes up in the indictment sections because those thieves who had committed specific thefts had already been dealt with in other courts. Most of the men and women indicted on suspicion of theft during the 1281-1284 eyre were listed together in the records at the end of the entries for each wapentake, making it difficult to discover who was suspected of having acted collectively and who was suspected of having acted individually.¹⁶⁴ Occasionally, details of familial relationships between the accused were provided, offering a further insight into the role of family connections in determining male and female criminal behaviour.

Although the overall numbers of both male and female suspected thieves who acted in partnership with kin are small, it is still possible to detect a gender-orientated pattern to intra-familial criminal associations. The most frequently stated relationship between male thieves and their partners-in-crime was that of brother.¹⁶⁵ Yet the conjugal bond was the strongest for female thieves. Two husband and wife teams were included in a long list of people indicted for theft by the jurors of Bolingbroke wapentake.¹⁶⁶ Likewise, the jurors of Hill wapentake indicted Henry de la Grene and Reyna his wife,¹⁶⁷ and the jurors of Calcewath wapentake indicted Ralph West and Alice his concubine.¹⁶⁸ It may also be significant that two brother and sister teams,¹⁶⁹ and a father and daughter team can also be found working together.¹⁷⁰ Theft was possibly another crime where men conditioned female involvement.

In connection with this, and as *Bracton* recognised, by virtue of their position in the home as wives, lovers and mothers, women were ideally placed to become receivers of stolen goods and of criminal husbands and children, whether they wanted to be or not. Hanawalt has argued that receivership was 'the only crime which seemed to be a decidedly female offence'.¹⁷¹ Yet receivership rarely

¹⁶⁴ The formulaic Latin of the eyre rolls also often fails to disclose where their crimes were perpetrated and even whom they targeted.

¹⁶⁵ See, for example, PRO, JUST1/486, mm. 5d., 8d., 11, 13d., 15, 17.

¹⁶⁶ PRO, JUST1/486, m. 14. One couple was found not guilty, but the husband of the second couple was outlawed and his wife was waived.

¹⁶⁷ PRO, JUST1/486, m. 17. Henry was outlawed and his wife was probably waived.

¹⁶⁸ PRO, JUST1/486, m. 15. Ralph was outlawed and Alice was waived.

¹⁶⁹ PRO, JUST1/486, mm. 8 (Thomas Truker' and Isabella his sister abjured the realm), 16 (Alexander fitzStephen of Cockerington was outlawed and Agnes his sister was waived).

¹⁷⁰ PRO, JUST1/486, m. 16.

¹⁷¹ Hanawalt, 'The Female Felon', 267.

features as an offence in the sampled Lincolnshire crown pleas of 1281-1284, probably because it took place within the private world of the home and was therefore more easy to conceal, unless neighbours informed the authorities. Just nine people were accused of receiving criminals and/or stolen goods, three of whom were women and six of whom were men.¹⁷² One of the cases involving a female receiver provides a good example of a possible case of family pressure and is the only case in this material where a woman was granted a royal pardon. Margaret, widow of Alan of Burgh near Wainfleet, came before the justices and presented a letter patent that had been issued by King Edward I on 11 February 1284, which was entered on the rolls and includes a remarkable account of why this woman deserved a royal pardon. According to the charter, Margaret had been indicted of receiving her son Robert, a thief, before the last eyre and was sentenced to be hanged by the judgement of the court on the gallows outside Lincoln. As her body was removed from the gallows and was being taken for burial to the hospital of the lepers outside Lincoln, she apparently returned to life (*et vitalem recuperaret vigorem*). Margaret had since resided at the hospital for over two years and because her recovery was attributed to a divine miracle, the king considered it appropriate to pardon her.¹⁷³

e) Assault

Bracton recognised two types of physical assault that breached the king's peace: wounding and *injuria*. The length and depth of a cut determined whether a person had 'a wound or a scratch' (*plaga vel rífflura*), and therefore whether the physical damage caused by the attacker was sufficiently serious for the case to be prosecuted as a felony for wounding or civilly for *injuria*.¹⁷⁴ In cases where the wound inflicted was considered sufficiently serious to prevent the victim from fighting in a judicial duel, 'mayhem' should be adjudged and a jury should try the case.¹⁷⁵ Because women were unqualified for trial by battle anyway,¹⁷⁶ mayhem did not apply to female victims. As with homicide, however, gender determined how a person convicted of mayhem should be punished. According to *Britton*, a male perpetrator was to lose the same member as that which he had caused the plaintiff to lose but a female perpetrator was to lose a hand, 'being the member wherewith she committed the offence' (*com*

¹⁷² For the cases involving women, see PRO, JUST1/486, m. 10, 10d., 13d.

¹⁷³ PRO, JUST1/486, m. 13d. See also CPR 1281-1292, 113.

¹⁷⁴ *Bracton*, II, 407, 437-439.

¹⁷⁵ *Ibid.*, II, 409-410. Cases involving mayhem were tried by ordeal until the Lateran Council of 1215 abolished this form of trial. See Pollock and Maitland, *The History of English Law*, II, 490.

¹⁷⁶ *Bracton*, II, 353.

le membre dunt ele avera trespasse).¹⁷⁷

The extremely low level of female participation in the violent crimes of homicide and robbery in thirteenth-century Lincolnshire was mirrored in suits involving physical assault. In the 1202 sample of crown pleas, just one (2.3%) of the forty-three people who were accused/suspected of physical assault, where wounding or beating itself was the main as opposed to an accessory charge, was a woman. Hugh fitzElwina appealed Alice, daughter of Richard, of plucking out his eye (*de oculi sui euulsione*), but later withdrew his suit and placed himself in mercy.¹⁷⁸ In 1281-1284, again just one (1.1%) of the ninety-one accused/suspected attackers was female. Agnes, daughter of William fitzAlice de Stayn, appealed Amice, wife of Gilbert Ivell' of wounding, beating and breaking the King's peace, and the jurors found Amice guilty.¹⁷⁹

A similarly small number of women were accused/suspected of force (*de vi*) or breaking the king's peace (*de pace domini regis fracta*), other charges that were often associated with physical assault. Just three (2.8%) of the 104 people who were accused/ suspected of force and one (2.2%) of the forty-six people who were accused/suspected of breaking the king's peace in 1202 were women. Force was a much less common charge in 1281-1284, but again just one (2.6%) of the thirty-nine suspects was female.¹⁸⁰ Although the charge of breaking the king's peace did not feature once in 1281-1284, out of forty-six persons who were accused of this offence in 1202, again just one (2.2%) was a woman. Significantly, all three women charged with force in 1202 and the woman charged with the same offence in 1281-1284 were appealed as accessories to offences committed by men. In 1202, for instance, John Wiles was accused of breaking the king's peace and beating a woman, while Emma, wife of Robert, Matilda, daughter of Robert, Alexander, the priest's son, and Roger de Barwod' were accused of aiding him with force.¹⁸¹ During the 1281-1284 eyre, Goda de Bereghby was accused with two men of the accessory offence of force and assistance (*de vi et auxilio*) on the same occasion as four other men were accused of killing Peter the taverner of Grantham.¹⁸² These examples further support the idea that female involvement in violent crimes was often subject to masculine influence.

Just as women were rarely the victims of reported homicide and robbery, so were they also rarely the

¹⁷⁷ Britton, I, 123. This form of retaliatory punishment was derived from the Hebraic rule in Exodus. See Pollock and Maitland, *History of English Law*, II, 488-489, esp. 489 n.2.

¹⁷⁸ ELAR, 127, no. 732.

¹⁷⁹ PRO, JUST1/486, m. 15.

¹⁸⁰ There were no isolated charges of breaking the king's peace in 1281-1284.

¹⁸¹ ELAR, 110 no. 620 (case not prosecuted). See also *Ibid.*, 104 no. 587 (case not prosecuted), 112 no. 637 (case not prosecuted).

victims of reported assault. In the 1202 sample, just three (8.1%) of the thirty-seven persons alleged to have been assaulted were women. William Burel, for example, appealed Walter Morcoc for a particularly vicious attack on his wife Margery, during which she had been beaten and wounded so badly that her unborn child had been killed.¹⁸³ In support for this case, the beadle claimed that he had seen a fresh wound and bleeding in the wapentake court, but the sergeant of the riding, the coroners and the twelve knights denied this and the appeal failed.¹⁸⁴ Just one (3.2%) of the thirty-one victims of assault in the 1281-1284 sample of crown pleas was a woman.¹⁸⁵

The absence of any reported assaults within the family should not be taken as evidence that none took place. Just as religious texts exhorted men to discipline their disobedient wives, so were parents to correct their children and masters to discipline their servants.¹⁸⁶ All these practices sanctioned a certain amount of legitimate violence within the context of the family and household. Yet there is one case at least, which suggests that individual members of local communities were prepared to intervene if they felt that this 'domestic' violence was excessive. A presenting jury of the 1281-1284 Lincolnshire eyre described how Thomas fitzGiles of Goxhill, on coming to the vill of Gedney with his servant, Robert of Bramerton, 'saw a certain Peter Joye beating and maltreating Beatrice his [Peter's] wife in Peter's own house' (*vidit quendam Petrum Joye verberare et maletractare Beatricem uxorem suam in domo ipsius Petri*). The two men immediately entered the house 'to impede the aforesaid Peter' (*ad impediendum predictum Petrum*). Such a course of action carried with it a certain amount of risk, and in the resulting struggle, Peter was fatally wounded and later died.¹⁸⁷ Although Thomas and Robert immediately fled and their chattels were confiscated for their flight, Thomas returned with a royal charter that granted him a pardon for the death and returned him to the king's peace.¹⁸⁸ It is not recorded what happened to Peter's wife but the outcome of the case suggests that the intervention of the two other men on this occasion had been considered reasonable by the authorities.

¹⁸² PRO, JUST1/486, m. 5d. The attackers were all acquitted.

¹⁸³ ELAR, lviii, 111 no. 629. *Willelmus Burel appellavit Walterum Morcoc quod ipse in pace domini regis ita uerberavit et pulsavit Margeriam uxorem suam quod ipse occidit infantem infra uentrem suam et eam preter hoc uulneravit et sanguinolentam fecit*. See also *Ibid.*, 115 no. 649. For the other two female assault victims in 1202, see *Ibid.*, 94 no. 533, 110 no. 620.

¹⁸⁴ *Ibid.*, lviii, 111 no. 629.

¹⁸⁵ PRO, JUST1/486, m. 15 (Agnes, daughter of William fitzAlice de Stayn, was attacked by Amice, wife of Gilbert Ivell).

¹⁸⁶ Herlihy, *Medieval Households*, 132.

¹⁸⁷ PRO, JUST1/486, m. 9.

¹⁸⁸ PRO, JUST1/486, m. 9. There is no indication that the two men who intervened had been acquainted with either Peter or his wife before the attack.

f) Imprisonment, Arson and Forgery

Having discussed the most commonly reported crimes in the sampled 1202 and 1281-1284 Lincolnshire crown pleas, I will now turn to those crimes that were only occasionally reported: imprisonment, arson and forgery. Forgery was considered the gravest offence by the crown and *Bracton* placed it among 'the major and more serious crimes' that directly affected the king himself.¹⁸⁹ Forgery, said *Bracton*, 'may be committed in many ways, as where one counterfeits the royal seal, or coins false money, or makes bad money out of good, or wittingly connives with a forger'.¹⁹⁰ For all three offences discussed here, however, it was the committing of the crime rather than the sex of the offender that was the issue of overriding importance in determining how perpetrators should be treated.

What little evidence there is for imprisonment and arson in the sampled crown pleas for 1202 and 1281-1284, indicates that they were male crimes. Both persons accused of arson,¹⁹¹ and all five people accused of unjust detention in 1202 and 1281-1284 were men, as were their victims.¹⁹² Even if we look beyond the sampled wapentakes, at crimes perpetrated in other parts of the county, the impression is remarkably similar. Elsewhere in Lincolnshire, one encounters just one woman who was accused of arson, interestingly by another woman. Matilda, daughter of Lawrence, appealed Matilda, wife of Jacob, of burning down the house (*de combustione domus*) of Ranulf fitzLawrence, presumably the appellor's brother.¹⁹³

In the light of the gravity with which the law viewed forgery, it is surprising that the only person accused of any form of falsification in the sampled crown pleas from the 1202 and 1281-1284 eyres was a woman. The jurors of Candleshoe wapentake presented that Matilda, daughter of William the baker of Stamford, had sought sanctuary in the church of St. Thomas at Wainfleet and confessed to manufacturing false money before she abjured the realm in the presence of the coroner.¹⁹⁴ Looking outside the sampled crown pleas, the rolls for the delivery of the county gaol reveal that Cecily de

¹⁸⁹ *Bracton*, II, 298. Forgery was considered more serious than homicide, rape and robbery, which were only held to partly concern the king because they involved the breach of his peace.

¹⁹⁰ *Ibid.*, II, 298. See also *Glanvill*, 176-177.

¹⁹¹ These men were accused in two separate cases on the 1281-1284 crown plea roll. See PRO, JUST1/486, mm. 8d., 17.

¹⁹² In 1202, three men were separately accused of imprisoning three separate men. See *ELAR*, 153 nos. 927 and 928, 159-160 no. 968. In 1281-1284, two men were accused of imprisoning one man. See PRO, JUST1/486, m. 1d.

¹⁹³ *ELAR*, 120 no. 683.

¹⁹⁴ PRO JUST1/486, m. 12d.

Esingden' was arrested on suspicion of clipping coin in Stamford, but was cleared by the jury.¹⁹⁵ Moreover, the records of the 1202 Lincolnshire eyre reveal that another woman, Aldus (*sic*), wife of Otto the Fleming, had been arrested in possession of false pennies amounting to 29*d.* at Lincoln, but escaped and fled to York where she was re-arrested and committed to gaol.¹⁹⁶ All of these women were seized at important urban trading centres. Perhaps the economic and social conditions in these growing towns provided opportunities lacking in rural districts for women to engage in different and potentially profitable forms of non-violent criminal activity. Female involvement in coining is attested in and near other towns in other counties. Two men and a woman who were arrested in 1326 at Horning, near Norwich, had established their own mint at the back of a shop selling garlic and onions.¹⁹⁷

Avoiding Punishment

The main impression to have come from this assessment of the Lincolnshire crown pleas for 1202 and 1281-1284, is of the limited involvement of women in virtually all areas of reported criminal activity. I will now draw this chapter to a close by looking more closely at the various escape routes open to female malefactors who sought either to delay or avoid answering for their crimes. Although just eleven men and one woman were convicted and hanged for homicide in the sampled 1281-1284 crown pleas, the fact that these sentences were carried out demonstrates that the king's representatives were quite prepared to enforce the death penalty regardless of the sex of the offender. It is therefore understandable that those suspects who had been arrested, and either feared or realised that they would be found guilty, might have searched for ways to postpone or mitigate their punishment. In this field at least, female felons possessed a biological advantage over their male colleagues; a pregnant woman could not be executed until after she had given birth.¹⁹⁸ Hence the significance of the entry on the 1281-1284 gaol delivery rolls when a group of male and female thieves were found guilty that one of their number, Alice of Alford, was pregnant and should be retained in custody.¹⁹⁹

Even so, this was the only occasion when a woman's pregnant state was recorded in the records of both the 1202 and 1281-1284 eyres. The absence of judicial records for the intervening years makes

¹⁹⁵ PRO, JUST1/486, m. 44d.

¹⁹⁶ *ELAR*, 162 no. 980.

¹⁹⁷ Summerson, 'The Criminal Underworld', 213.

¹⁹⁸ It did not matter whether the child had been conceived before or after his mother had committed the offence. See *Bracton*, II, 429.

¹⁹⁹ PRO, JUST1/486, m. 42d.

it impossible to establish whether there were any Lincolnshire women like Matilda Hereward of Brandiston in Northamptonshire, who was convicted of larceny in June 1301, but managed to extend her life for a year and a half by being pregnant each time the justices returned to deliver her gaol between September 1301 and January 1303.²⁰⁰ As Hanawalt commented on this case, there was certainly the potential for women to become repeatedly pregnant, whether they wanted to or not, in the mixed prisons of the thirteenth century.²⁰¹

Another option for both male and female criminals who were unlucky enough to have been captured and who believed that they would be convicted was for them to become approvers in gaol and appeal their accomplices, thereby providing the king's officers with important information about other wrongdoers.²⁰² Approvers whose accusations were proven might have their own sentence reduced from death to life imprisonment or might receive permission to leave the realm or might even be pardoned.²⁰³ Becoming an approver also necessitated the postponement of one's own trial while the new appeals were followed up. This last advantage could gain the criminal vital time during which it might be possible to escape, like Hugh fitzWilliam of South Ormsby in the 1290-1291 Lincolnshire coroner's roll.²⁰⁴ Nevertheless, turning approver was not a popular course of action. There is just one case out of all the sampled 1202 and 1281-1284 crown pleas where an accused murderer turned approver and this approver, who was a man, was still eventually hanged.²⁰⁵ Female approvers appear to have been even rarer than male approvers. Summerson has discovered just one female approver, Cristiana Clenemayden, *probatrix*, who appeared before the 1293 Northumberland eyre.²⁰⁶ Perhaps the male-dominated royal courts were even less inclined to listen to the accusations of criminal women than those of criminal men.²⁰⁷

In spite of this, it should be remembered that conditions in a thirteenth-century gaol were, at their best, unpleasant; hygiene was poor, conditions cramped, disease rife, and, as we have seen, both men

²⁰⁰ Hanawalt, *Crime and Conflict*, 43. There is no record of what happened to her after January 1303.

²⁰¹ *Ibid.*, 43.

²⁰² Musson, *Public Order*, 172-174.

²⁰³ Bellamy, *Crime and Public Order*, 131; *Bracton*, II, 346.

²⁰⁴ 'A Lincolnshire Coroner's Roll', ed. and trans. C. M. Woolgar, *Lincolnshire History and Archaeology*, XVI (1981), 15-16 no. 6.

²⁰⁵ PRO, JUST1/486, m. 1. The approver was Philip de Raveley.

²⁰⁶ Summerson, 'The Criminal Underworld', 202.

²⁰⁷ There might also have been some reluctance to allow women to become approvers because they could not offer trial by battle to support their accusations.

and women died there.²⁰⁸ Bearing in mind that suspected criminals who were arrested were normally detained in gaol whilst awaiting trial, it is easy to appreciate why many suspected wrongdoers either chose to flee or sought sanctuary in a church, admitted their guilt and abjured the realm before a coroner and jury.²⁰⁹ Albeit abjuration was the course favoured by a total of seventy-nine men and seven women in the sampled crown pleas of 1202 and 1281-1284 considered in this chapter, flight was by far the more common option for both sexes. Through outlawry for men and waiving for women, the courts were still able to proceed against such persons.

In the sampled 1202 and 1281-1284 crown pleas, a total of 409 men were outlawed and 26 women were waived. The Lincolnshire documents themselves provide few clues as to what it was that distinguished outlawry from waiving and why it was apparently necessary to treat male and female criminals differently in this respect. Fortunately *Bracton* and *Britton* shed important light on this matter. The process of outlawry was begun when a male wrongdoer failed to attend the county court to face a charge made against him. The accusation was repeated at the following county court and if he was not present then, he was exacted, that is he received a formal summons to the next meeting. If, after the fourth exaction, the accused man had still not appeared, he was outlawed.²¹⁰ As the word 'outlaw' (*utlagus*) implies, this effectively placed the wrongdoer outside the law; the outlaw's property was declared forfeit and the state of outlawry itself carried the death penalty if the outlaw was ever captured.

The same fate awaited a woman who was waived as a man who was outlawed,²¹¹ raising the question of what it was that distinguished female offenders who fled from male offenders who fled. *Bracton* explained that a woman could not be outlawed like a man 'because she is not under the law (in English 'in law') that is, in frankpledge or tithing, as is a male of twelve years and upwards'.²¹² Instead, *Bracton* stated,

she may well be waived, and regarded as one abandoned, for waif is that which no one claims, nor will the prince claim her or protect her when she has been properly waived, any more than he will a male who has been properly outlawed according to the

²⁰⁸ See table 5.2 above. For medieval gaols, see R. B. Pugh, *Imprisonment in Medieval England* (Cambridge 1970).

²⁰⁹ R. F. Hunnisett, *The Medieval Coroner* (Cambridge, 1961), 37-54. All abjurors forfeited their chattels to the king who also enjoyed the year, day and waste of their lands.

²¹⁰ *Bracton*, II, 353.

²¹¹ *Ibid.*, II, 354.

²¹² *Ibid.*, II, 353. ... *quia ipsa non est sub lege, id est inlaghe anglie, scilicet in franco plegio sive decenna, sicut masculus duodecim annorum et ulterius.*

law of the land.²¹³

Membership of a tithing was an important distinction between men and women in thirteenth-century England. Frankpledge was the system whereby the male peasants on a manor were formed into groups of ten or more men known as tithings who were collectively held responsible for their members' good behaviour.²¹⁴ When Cecily, daughter of Hubert Haliday, fled for killing Elena, daughter of Simon of Surfleet, and was subsequently exacted and waived, it was specifically recorded that 'she was not in frankpledge because she was a woman' (*non fuit in francoplegio quia mulier*).²¹⁵ Nevertheless, it was only unfree males who belonged to tithings.²¹⁶ According to *Bracton's* theory, free men should have been in the same position as women.

Britton elaborated on the situation further and explained that a woman could not be outlawed 'because she is not appointed to any tithing or to the law' (*pur seo qe ele ne est mie ordeyné a dizeyne, ne a la ley*).²¹⁷ *Britton*, like *Bracton*, stated that everyone ought to belong to a tithing, but specifically acknowledged that persons in religion, clerks, knights and their eldest sons, and women were not in tithings. Instead, *Britton* laid down that in so far as these people were concerned every head of household was responsible for the members of his household.²¹⁸ The reference to the law may allude to a general oath to be faithful to the king and not to engage in felonious activities that *Britton* had said earlier in the text should be sworn by all men over the age of fourteen years.²¹⁹ It would therefore appear that because women were excluded from the membership of tithings and were also not required to swear an oath to observe the king's peace, they could not technically be outlawed in thirteenth-century England.²²⁰

²¹³ *Ibid.*, II, 353. *Wayviari tamen bene potest et pro derelicta haberi, cum pro aliqua felonia fugam ceperit. Est enim wayvium quod nullus advocat, nec princeps eam advocabit nec tuebitur cum fuerit rite wayviata, sicut fit de masculo qui secundum legem terrae rite fuerit utlagatus.*

²¹⁴ See Summerson, 'The Structure of Law Enforcement', 315-316.

²¹⁵ PRO, JUST1/486, m. 10d.

²¹⁶ Summerson, 'The Structure of Law Enforcement', 315.

²¹⁷ *Britton*, I, 50.

²¹⁸ *Ibid.*, I, 49.

²¹⁹ *Ibid.*, I, 48.

²²⁰ The origins of the word 'waive' are extremely obscure. I am not aware of an equivalent Anglo-Saxon term. For its Anglo-Norman derivatives, see *Anglo-Norman Dictionary*, ed. W. Rothwell, L. W. Stone and T. B. W. Reid, (London, 1992), 886-887.

Conclusion

The thirteenth-century Lincolnshire evidence firmly reinforces the findings of Given's and Hanawalt's research into women and crime. Far fewer women than men were accused/suspected and convicted of committing illegal antisocial activities at both ends of our chosen century. Even though the amount of criminal business which came before the royal justices increased, the comparative levels and nature of male and female involvement did not alter greatly. On the one hand, crimes which entailed the use of violence and excessive force against persons and property were almost exclusively the preserve of men. On the other hand, female participation was at its greatest in the less physically strenuous and destructive offences, such as larceny. The overall impression is that, with a few exceptions, women were more passive than men, hence the importance of male influence, especially male family influence in shaping female criminal activity. Legal theory and practice made some allowance for this. When a husband was convicted of theft or receiving, justices could be prepared, as *Bracton* anticipated, to forgive a wife for her involvement if that involvement was unwilling. One of the cases examined in Michael Clanchy's study of highway robbery in the Hampshire eyre of 1249 involved a husband, Richard Kitcombe, and his wife, Christian, who were accused of larceny and harbouring outlaws from Alton. Richard was convicted because the outlaws' victuals had been cooked in his house and then despatched to them in Alton wood, but his wife was acquitted on the grounds that she had only been involved 'by the compulsion of the said Richard her husband' (*per compellationem dicti Ricardi viri sui*).²²¹

There was also a far smaller number of reported female victims of crime than male victims, although this state of affairs owed much to contemporary legal procedures which could not only hamper a woman's personal ability to bring an assailant to justice but could also, notably in the case of rape, inadvertently serve as a deterrent against a woman pursuing her attacker. Moreover, religious teachings, which sanctioned corrective violence against wives and children within the home, contributed to this overall picture. Even so, it might be slightly misleading to place too much emphasis on this hidden 'domestic' violence and masculine control at the expense of domestic harmony. Even allowing for the possibility that some husbands who murdered their wives were able to conceal their actions, the family home was probably seldom the setting for intra-familial homicide.

²²¹ 'Highway Robbery and Trial by Battle in the Hampshire Eyre of 1249', ed. and trans. M. T. Clanchy, in *Medieval Legal Records edited in Memory of C. A. F. Meekings*, ed. R. F. Hunnisett and J. B. Post (London, 1978), 56.

Conclusion

The roles and responsibilities assumed by women of different social status in thirteenth-century Lincolnshire were considerably affected by contemporary ideas about female inferiority and subordination. The women of the Lincolnshire nobility did not, like their husbands and sons, serve as royal counsellors and advisors. Neither were they appointed to positions within local government. Lady Nicholaa de la Haye's appointment as sheriff of the county in 1216-1217 was quite exceptional, but took place at a time of acute political crisis for the royalist cause in England as a whole and at a time of chronic political instability within Lincolnshire itself. It is highly unlikely that she would have been elevated to this office if an alternative male candidate had presented himself or if her deceased husband, Gerard de Camville, had still been alive.

The women of the Lincolnshire knightly class were similarly prevented by their sex from working in Angevin local government. It was the Lincolnshire knights and free men who staffed the various local juries and served as officers in the royal courts. Likewise male officials presided over thirteenth-century Lincoln's civic administration and over Lincoln's emerging craft guilds. Even within local village communities, it was men who staffed the manor courts, and who provided statements of custom on matters affecting women as and when they were required. It was villein men rather than villein women who participated in the local law enforcement system of tithings. Government and manorial institutions reinforced gender stereotypes. Gender determined that women should be excluded from government office and circumscribed their contribution to public life. Within the conjugal households of the Lincolnshire nobility, gentry, townsfolk and peasantry, it was husbands rather than wives who tended to meet and fulfil public obligations.

Nevertheless, the position that women occupied at every social level was characterised by a certain amount of ambiguity. The standing and function of women within the family could allow them access to power and influence through other means than holding office. The interplay of gender, life-cycle and social status were of paramount importance in shaping women's lives. Although primogeniture, ultimogeniture and partible inheritance customs all preferred sons to daughters, daughters were usually preferred to brothers and nephews. In the absence of direct male heirs, direct female heirs often inherited property both in theory and in practice. Noble, knightly and even the more prosperous urban and peasant families felt a responsibility to provide for the material welfare of their non-inheriting daughters.

Admittedly, the marriages of daughters were commonly arranged in accordance with parental, especially paternal or fraternal, wishes when the transfer of family lands was at stake. Even so, the roles that noble and gentle daughters played as vehicles for the transmission of property and rights to

new dynasties on marriage could also confer on them a degree of authority within marital relationships, especially if brides came from more exalted lineages than their husbands. The patterns of religious patronage and naming practices followed by members of the Lincolnshire aristocracy and knightly class show that maternal kinship networks still mattered and were still celebrated within the patrilineal family structures of the thirteenth century.

The evidence that we have for single peasant women paying their own merchets in the villages of Ingoldmells and Sutton, strongly suggests that it was this group of women who exercised the greatest freedom of choice in the selection of potential marriage partners. Paradoxically, the limited family resources that persuaded or compelled young women to seek a living away from the family home could also work to their disadvantage by delaying their ability to exercise that choice. The surveys of work-related opportunities that were open to women in the Lincolnshire countryside and in the city of Lincoln have indicated that women were in a less advantageous position than men, especially in the competitive urban and rural labour markets of the late thirteenth century. The profit-making activities in which both townswomen and peasant women engaged tended to rely on the exploitation of existing domestic skills. Their access to capital and to formal training in the crafts was far more restricted than that of men.

Gender roles within families might be socially, legally and economically reinforced, but these roles did allow women some scope for action. Although the king's courts upheld the legal disability of wives, the literary image of the persuasive wife was heavily influenced by, and in turn also influenced, relationships between married couples. Knowledge of their wives' capabilities meant that male landholders and heads of noble and gentle households were perfectly prepared to delegate duties to their wives when they were away from home on business. Admittedly, little evidence survives from late twelfth- and thirteenth-century Lincolnshire to prove that this was usually the case, but even occasional glimpses of active wives are significant. Gerard de Camville clearly knew what he was doing when he left Lincoln castle in his wife's hands in 1191 and she successfully withstood a siege. The fact that both Gerard and Nicholaa suffered financial retribution from King Richard on his return to England in 1194, implies that the king fully appreciated that this noble wife was not under her husband's rod. The active involvement of wives in family affairs during marriage is also strongly implied by their husbands' decision to appoint them as their executors, and sometimes, like John Faldecape of Lincoln, as their chief executors. There was often no one better placed than a wife to oversee and administer her husband's last instructions and bequests. Of course, personalities mattered and it would be naïve to argue that all thirteenth-century marriages were equal partnerships in an emotional or practical sense.

Perhaps the most convincing evidence that wives from various backgrounds played an active, if not particularly visible, role within marriage are the extensive responsibilities that they assumed as widows. Whether a woman came from an aristocratic or a peasant family, widowhood invariably blurred distinctions of gender. Social status was, however, heavily at work in determining how this blurring affected individual women. Widowed noblewomen like Hawise de Quency and Margaret de Lacy controlled vast estates in their own right and were expected to be both landladies and employers to lower ranking men and women. Aristocratic widows could head large affinities staffed by male office holders, through whom the noblewomen themselves could direct political affairs and loyalties within Lincolnshire. The rights that noble, and to a lesser extent, gentle widows exercised as patrons also placed them in the ambiguous position of presenting men to posts in local churches and monasteries which women were themselves barred from holding by reason of their sex.

Households and estate administration that were headed by widowed ladies could provide just as important a focus for local communities as those that were headed by lords. Yet the subtle shifts in the direction of Nicholaa de la Haye's and Amabel de St. Martin's religious patronage after their husbands' deaths, suggests that it was often only as widows that noble- and gentlewomen were able to give full expression to their own interests. It is, however, telling that both Hawise de Quency and Margaret de Lacy sought to buttress their standing as independent female landholders in their widowhood by specifically associating themselves with a Lincolnshire nunnery founded by a famous female ancestor. These two aristocratic widows evidently valued their natal family's female heritage as a means of justifying their pre-eminent position among Lincolnshire's landed elite.

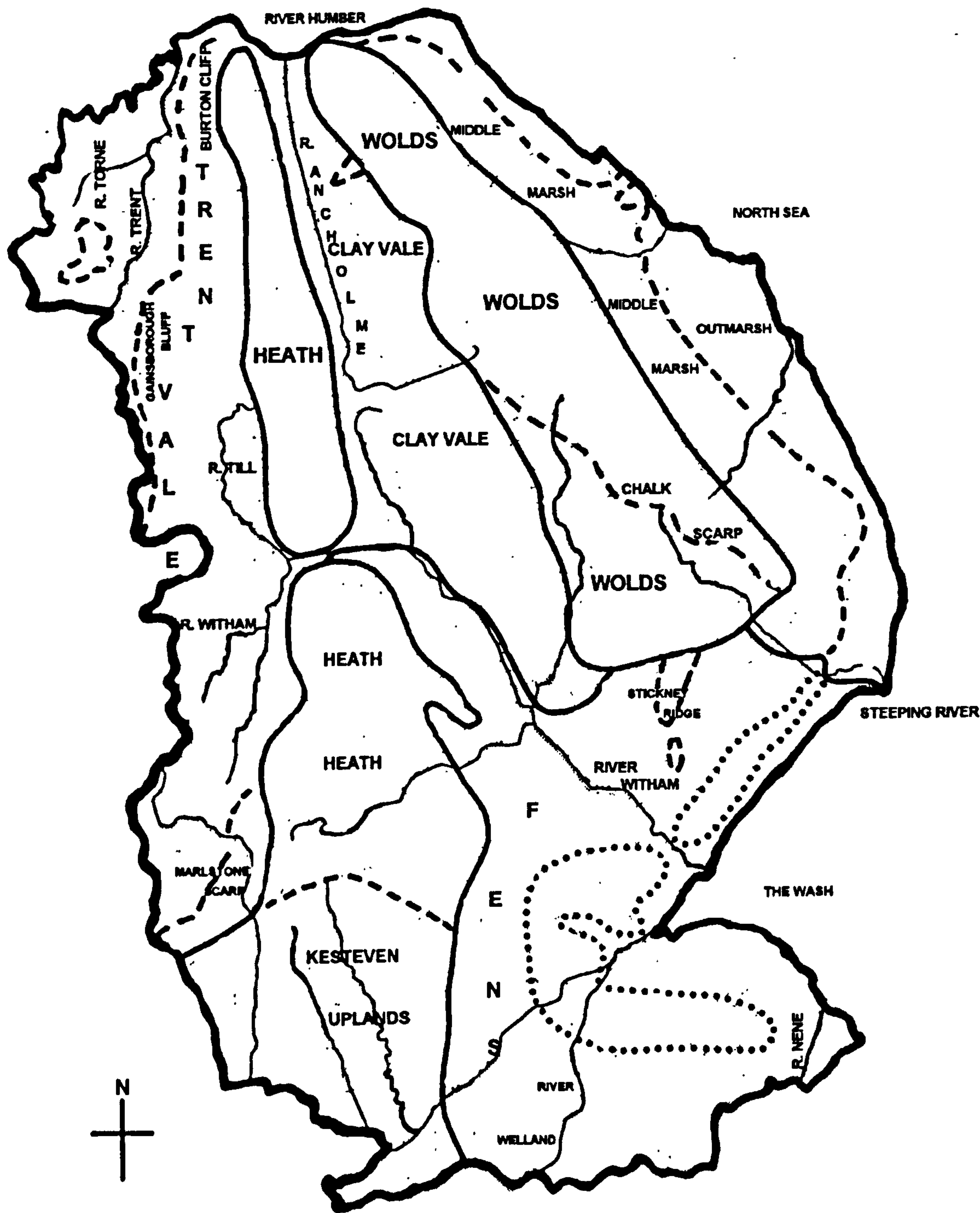
Although their position within the secular hierarchy meant that the widows of townsfolk and peasants did not, like their noble and gentle counterparts, exercise lordship over tenants or preside over appointments to religious institutions, their responsibilities were broadly similar in other respects. Urban and peasant widows, like their female social superiors, were responsible for the performance of services and payment of rents owing from their lands and property, even if there were marked differences in the scale and nature of their obligations. It would, however, be a mistake to regard widowhood as a time of increased independence for women in general. The financial and emotional leverage that a widow possessed over her late husband's heir and vice versa, had the potential to expand or constrict the power that she had previously exercised through the family. Moreover, male family relationships and male ambitions could influence a widow's level of autonomy at all social levels and whether her admission to her dower was smooth or otherwise.

Dower undoubtedly worked most smoothly within closely-knit families where the deceased husband's heir was also the widow's son or daughter. In such circumstances, a widow's life interest in her deceased husband's property could provide a continuing bond between mothers and their adult

offspring, and the widow's revenues might be made available for the benefit of other family members. Conversely, problems were particularly likely to arise when the husband's heir was a minor and his or her wardship was granted or purchased by a third party. Without a male protector, a widow could be vulnerable to pressure to remarry, whether she wanted to or not.

It seems appropriate to end with a note of caution. Widowhood was by its very nature a time of loss. Although the custom of the manor sometimes permitted villein widows to retain control of all their husband's lands, for those widows who received a half or a third of their deceased husband's property, widowhood was inevitably accompanied by a decline in their standard of living, especially for the poorest rural and urban dwellers. When Avice, widow of William fitzGeoffrey, was unable to prosecute her suit for dower against Clement the vintner of Stamford, the court clerk recorded that 'She is very poor' (*Pauperrima est*).¹

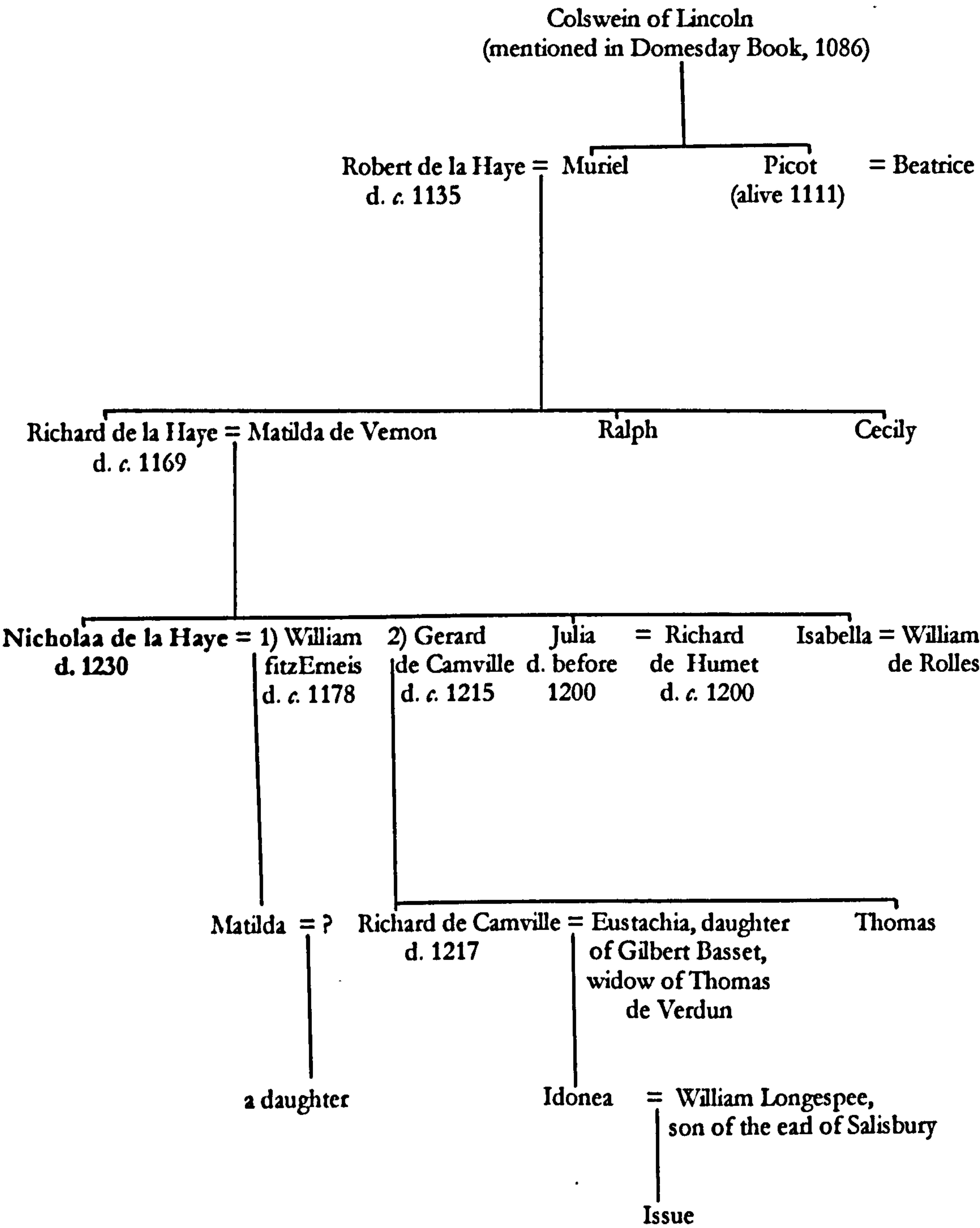
¹ RJE, 356 no. 726.



Based on S. Bennett and N. Bennett, *A Historical Atlas of Lincolnshire* (Hull, 1993), 9.

Appendix II

The la Haye Family Tree



Appendix III

Nicholaa de la Haye's Lincolnshire Inheritance: A Key to the Map Overleaf

The Locations of Nicholaa's Demesne Properties [Sources: *BF*, I (1212 survey), 180, 188, 192; *BL*, Harley MS. 2110, ff. 71-73]¹

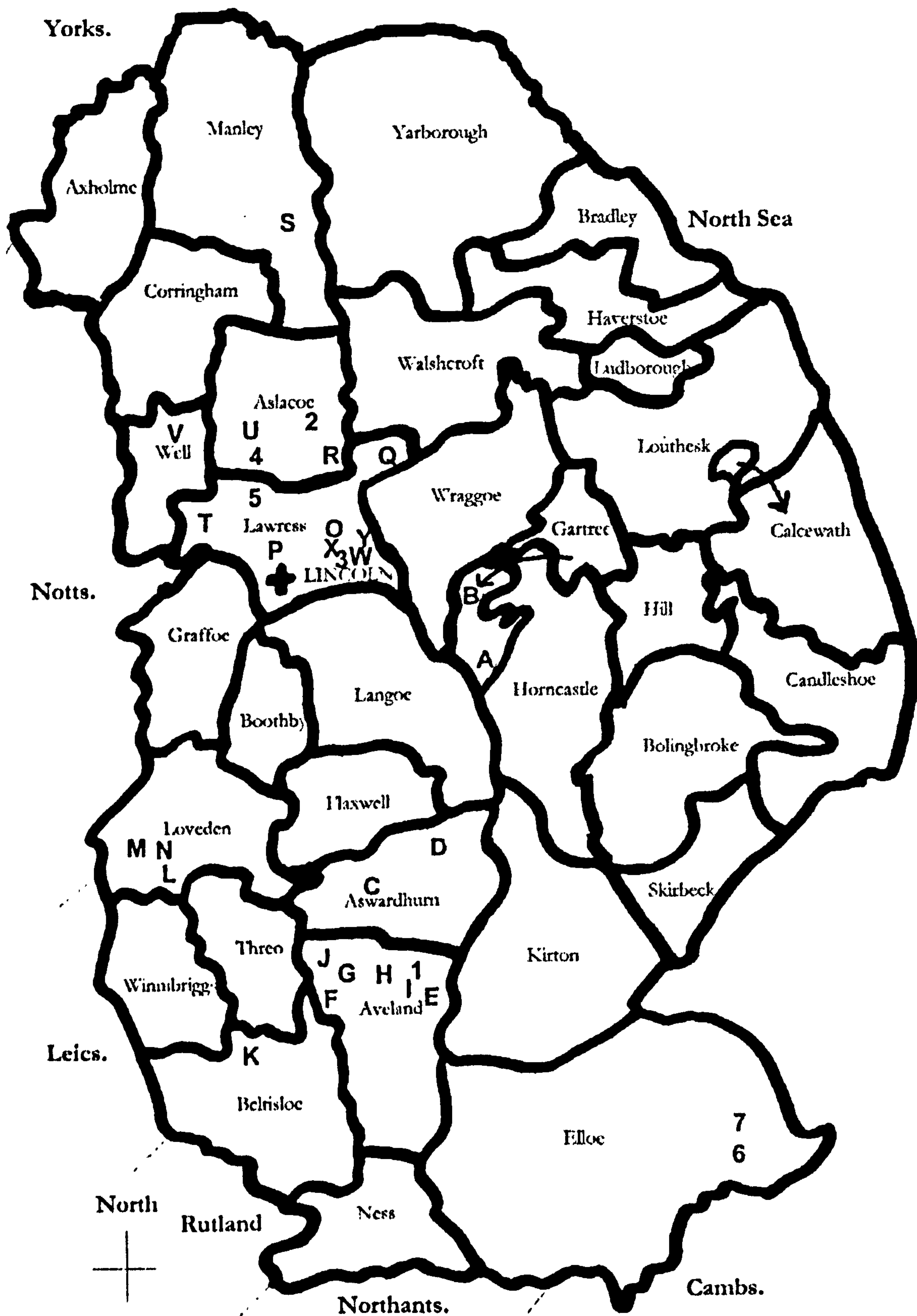
- 1) Swaton
- 2) Owmbby
- 3) Cherry Willingham
- 4) Cammeringham
- 5) Brattleby
- 6) Sutton
- 7) Lutton

The Locations of Nicholaa's Tenants' Holdings [Source: *BF*, I, 169, 170, 179, 180, 183, 186, 192]²

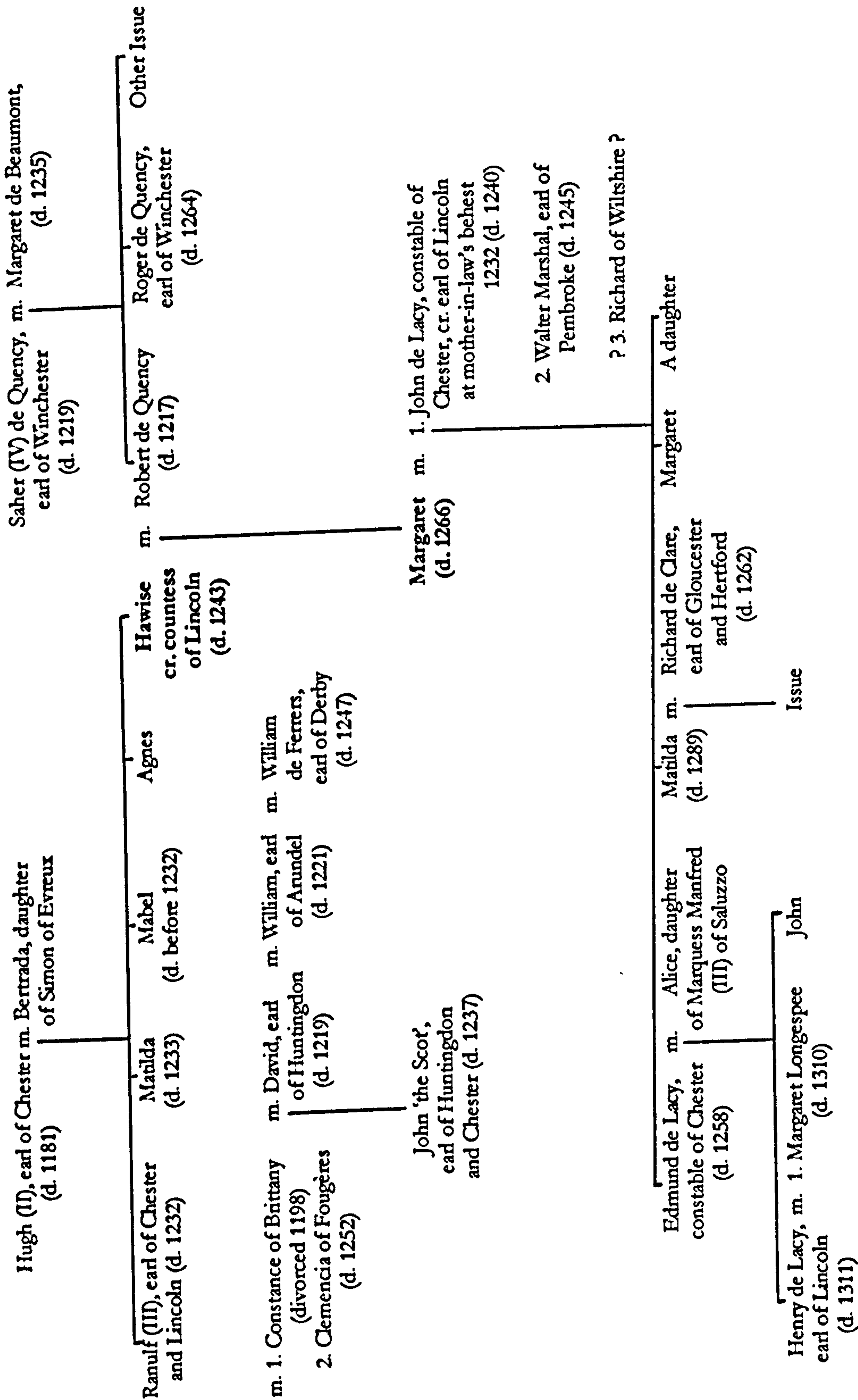
- | | |
|-------------------------|-----------------|
| A) Stirwoud | R) Spridlington |
| B) Minting | S) Scawby |
| C) Silk Willoughby | T) Ingleby |
| D) Ewerby Thorpe | U) Fillingham |
| E) Billingborough | V) Kexby |
| F) Pickworth | W) Reepham |
| G) Newton by Folkingham | X) Sudbrooke |
| H) Threckingham | Y) Barlings |
| I) Horbling | |
| J) Dembleby | |
| K) Westby | |
| L) Marston | |
| M) Dry Doddington | |
| N) Hougham | |
| O) Scothern | |
| P) Riseholme | |
| Q) Faldingworth | |

¹ According to the royal survey of 1212, Nicholaa and her second husband, Gerard de Camville, also held half a carucate of land in an unspecified location in Candleshoe Wapentake that is not marked on this map. See *BF*, I, 163.

² Two of Nicholaa's tenants, Richer of Billingborough and Adam of Buckminster, held lands in Thorpe in Loveden Wapentake, whose precise location is now uncertain and is not marked on this map. See *BF*, I, 186.



Appendix IV - The Quency / Lacy Family Tree



Appendix VSaher IV de Quency's Charter

A. PRO, DL42/2, f. 481v.

A charter of Saher de Quency, earl of Winchester (d. 1219), granting one hundred pounds' worth of land to Robert, his son and heir, to give to his wife Hawise, the earl of Chester's sister, in free dower.

Saherus de Quenci comes Wintonie omnibus hominibus et amicis suis presentibus et futuris: salutem.

Sciatis me concessisse et dedisse et presenti carta mea confirmasse Roberto de Quenci filio meo et

heredi ad dandum in liberum donarium Hawisie sorori comitis Cestrie uxori eiusdem Roberti

Bucehebeiam et Granttesset' et Bradeham et Herdewich' cum omnibus earundem terrarum

pertinenciis pro centum libratibus terre. Et si hee predictae terre non valeant per annum centum libras

ego in aliis terris meis de propria hereditate mea in Anglia ei tantum perficiam quod plenarie habeat

centum libratas terre per visum et considerationem legalium militum hominum videlicet comitis

Cestrie et meorum. Et preterea dedi eidem Roberto feoda duorum militum scilicet feodum Mathei

Turpin in Winterslawa in Wiltesir' pro servicio feodi unius militis et feodi Ricardi de Turvill' in

Helmeden' pro servicio feodi unius militis ad dandum simul cum terris nominatis predictae H. uxori

sue in liberum donarium. Testibus hiis Comite David. Willelmo comite de Ferrar'. Philipo de

Orreby. Roberto de Basingham. Ricardo de Lindeseia. Willelmo de Trumpington'. Henrico de

Braybroc. Willelmo de Syelford. David Giffard et Willelmo Picot. Hugone et Thoma et Henrico

dispensariis. Waltero de Coventr'. Waltero Daivilla et multis aliis.

This charter is printed, with several errors and omissions, in G. Ormerod, *The History of the County Palatine and City of Chester* (3 vols., London, second edition, revised and enlarged by T. Helsby, 1882), I.i., 28.

Appendix VI

Hawise de Quency's Lincolnshire Inheritance: A Key to the Map Overleaf

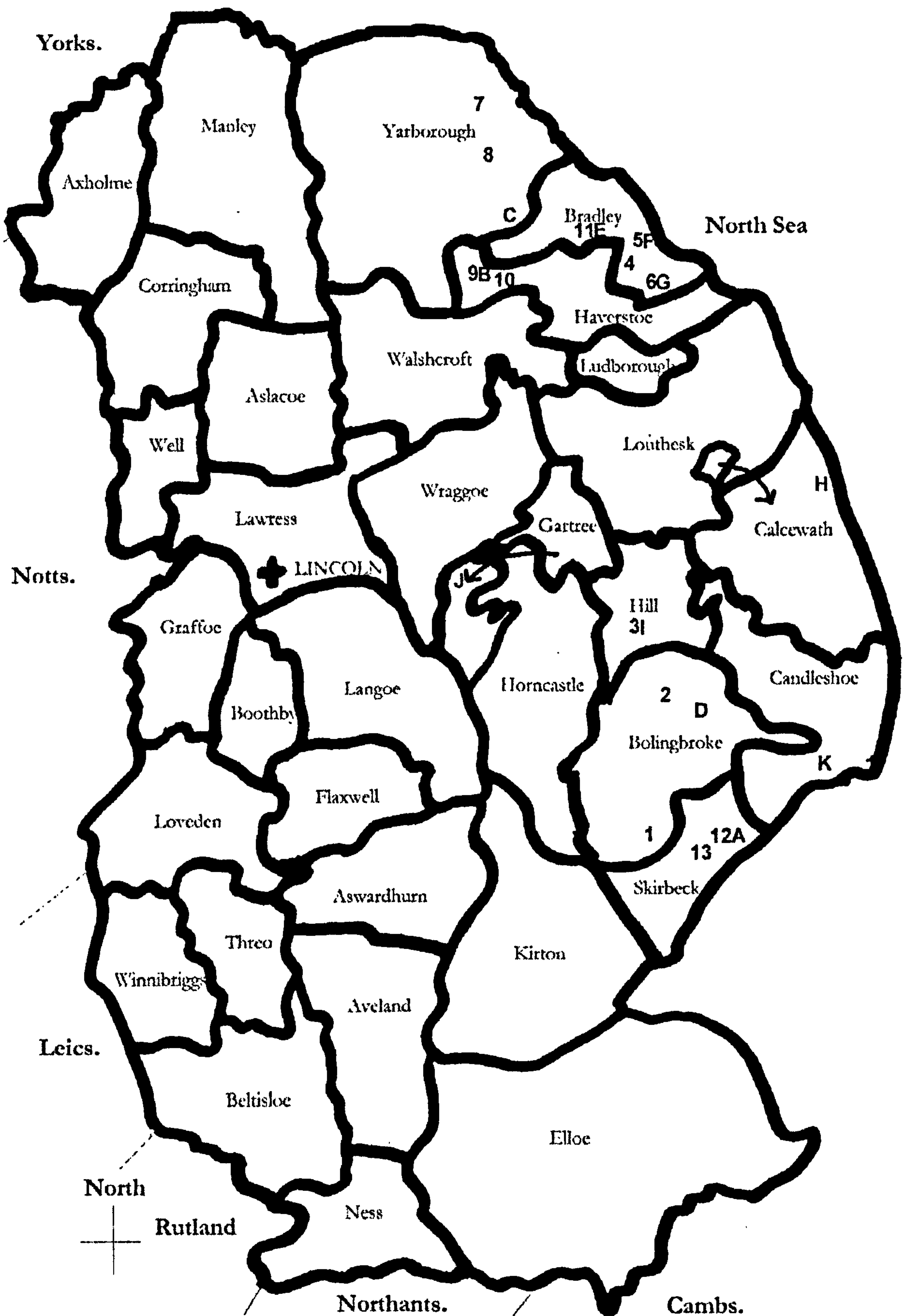
The Locations of Hawise's Demesne Properties in Lincolnshire [Sources: *CEC*, 305-307 no. 308; *CR 1231-1234*, 169-170; *CR 1231-1234*, 392; *BF*, II (1238-1241 survey), 1472, 1477, II (1242-1243), 1009, 1010, 1015, 1020, 1021, 1022, 1085-1086]¹

- 1) Sibsey (*Maritagium*)
- 2) Bolingbroke
- 3) Greetham
- 4) Holton le Clay
- 5) Humberston
- 6) Tetney
- 7) Killingholme
- 8) Habrough
- 9) Cabourne (*Maritagium*)
- 10) Cuxwold
- 11) Scartho
- 12) Wrangle
- 13) Leake

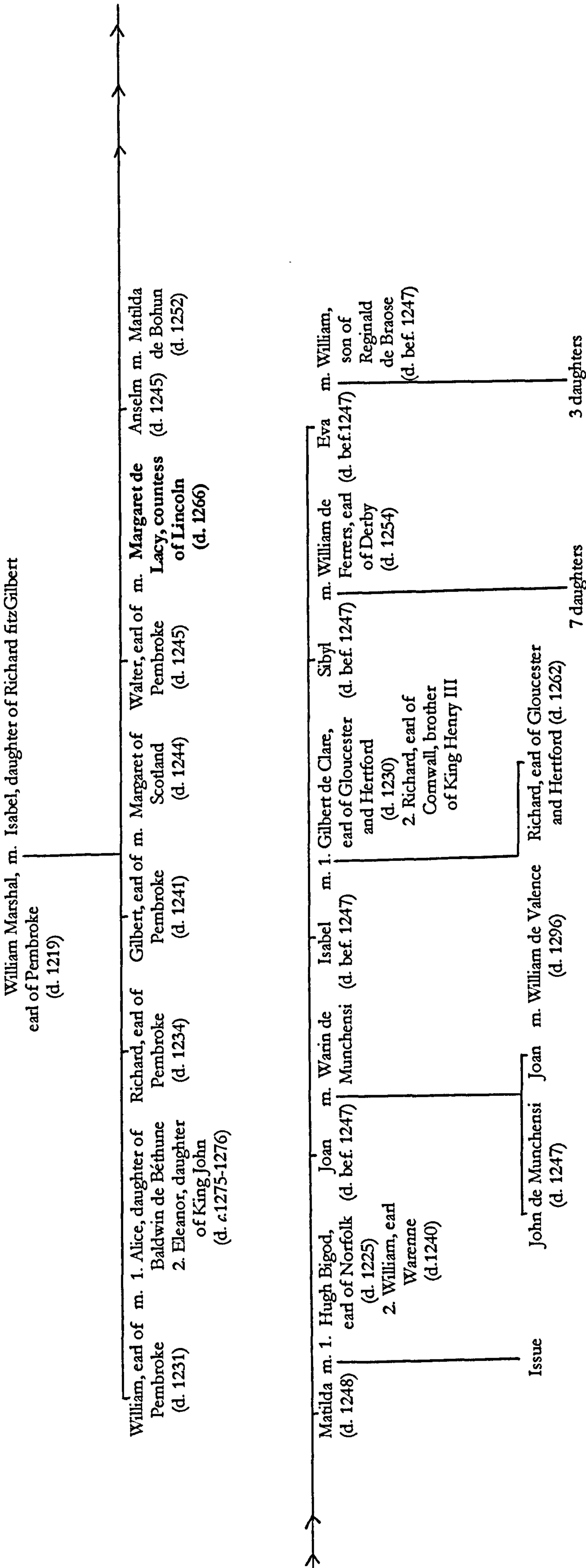
The Locations of Hawise's Property Transactions (Lincolnshire only) [Sources: pp. 61-62 above.]

- A) Wrangle
- B) Cabourne
- C) Riby
- D) Toynton St. Peter
- E) Scartho
- F) Humberston
- G) Tetney
- H) Mablethorpe
- I) Greetham
- J) Thorley
- K) Wainfleet

¹ Hawise's lands often appear in the hands of Walter Marshal, the second husband of her daughter and heir, Margaret, in the royal survey of 1242-1243 because Hawise died in 1243.



Appendix VII - The Marshal Family Tree



Appendix VIII

Margaret de Lacy's Lincolnshire Inheritance and Dower: A Key to the Map Overleaf

The Locations of Margaret's Demesne Properties in Lincolnshire: I. Inheritance from Hawise de Quency [Sources: See pp. 85-86 above]

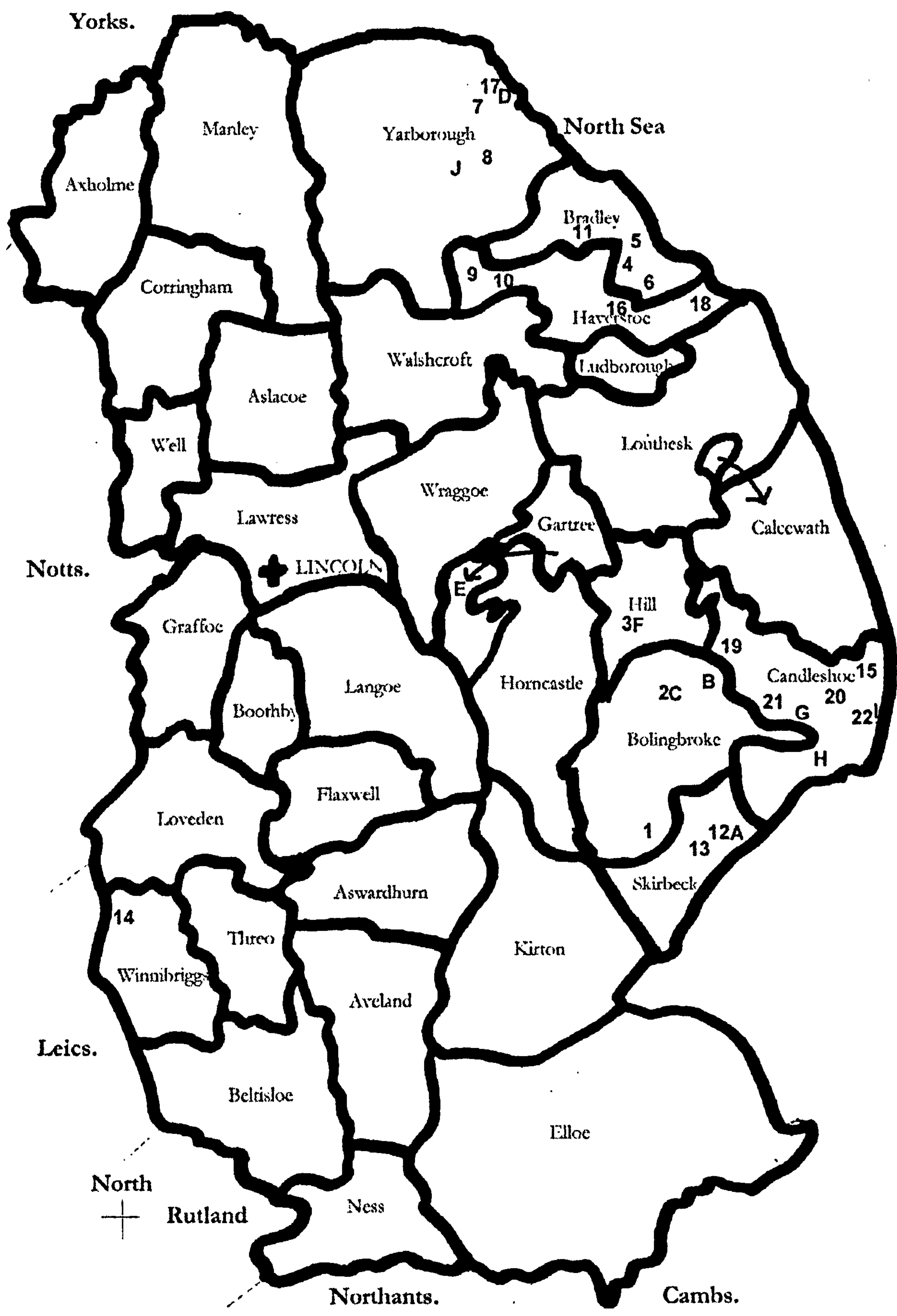
- | | |
|-------------------|-------------|
| 1) Sibsey | 8) Habrough |
| 2) Bolingbroke | 9) Cabourne |
| 3) Greetham | 10) Cuxwold |
| 4) Holton le Clay | 11) Scartho |
| 5) Humberston | 12) Wrangle |
| 6) Tetney | 13) Leake |
| 7) Killingholme | |

The Locations of Margaret's Demesne Properties in Lincolnshire: II. Dower from John de Lacy [Sources: CR 1237-1242, 261; BF, II, 1022, 1034, 1055, 1085-1086]

- 14) Sedgebrook
- 15) Ingoldmells
- 16) North Thoresby
- 17) East Halton
- 18) North Cotes (Probable Dower)
- 19) Partney (Probable Dower)
- 20) Burgh in the Marsh (Probable Dower)
- 21) Great Steeping (Probable Dower)
- 22) Skegness (Probable Dower)

The Locations of Margaret's Property Transactions (Lincolnshire only) [Sources: See pp. 86-87 above]

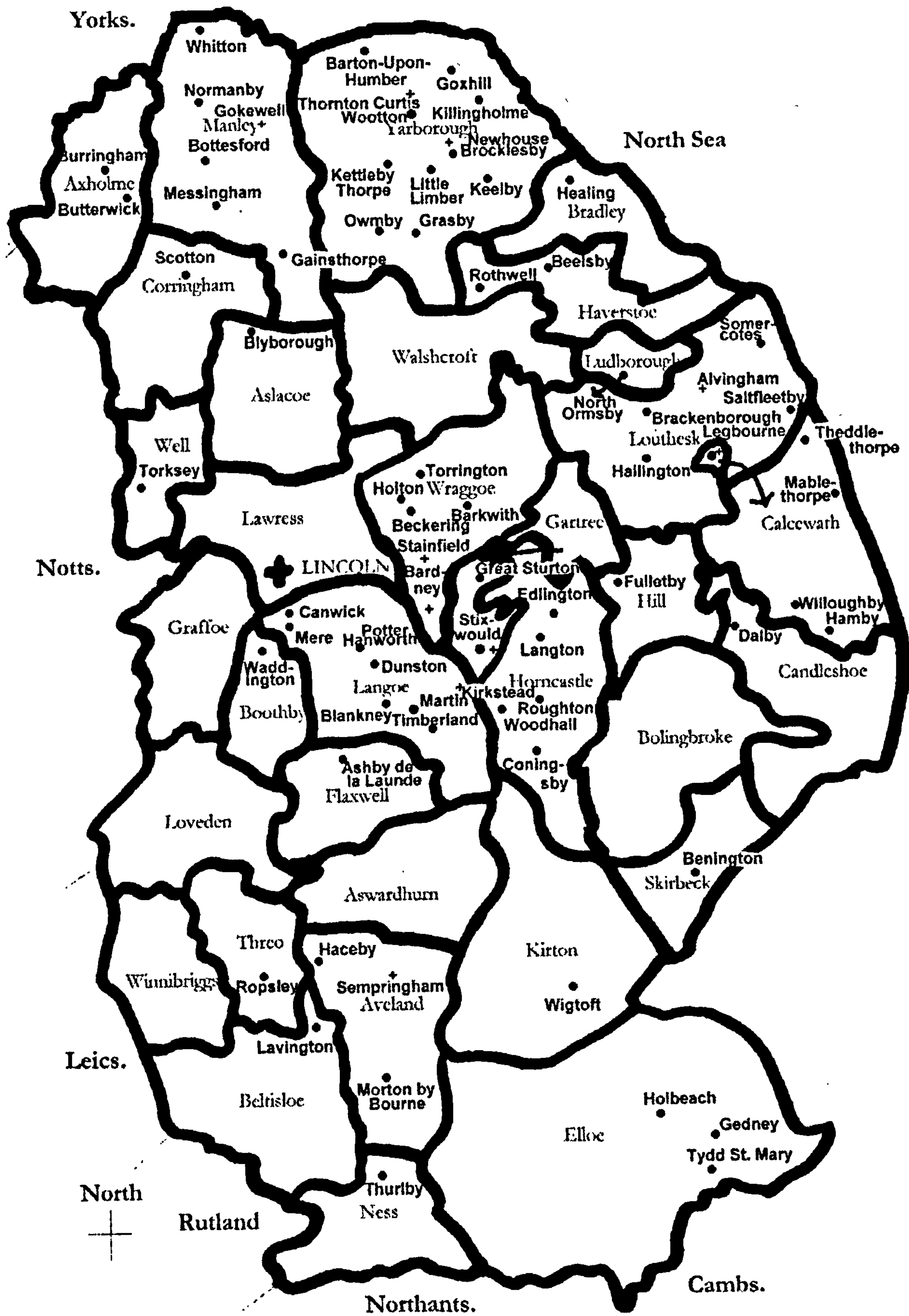
- | | |
|----------------|------------------|
| A) Wrangle | G) Irby |
| B) Hundleby | H) Wainfleet |
| C) Bolingbroke | I) Skegness |
| D) East Halton | J) Little Limber |
| E) Thorley | |
| F) Greetham | |



Appendix IX**Knights in Administrative Service during the Lincolnshire Eyre of 1218-1219**Source: *RJE*, 1-440.

Name of Knight	Name of Wife (If Known) ? = Possible Wife	X = Wife / Female Relation(s) Found
1) Ralph de Aencurt (Deyncourt)		X
2) Hugh fitzAlan	Ivetta	X
3) Hervey de Arci (Darcy)	Olivia, niece of John Malherbe	X
4) Robert of Ashby de la Launde		
5) Ralph of Barkwith	Helewisa, sister of Roger de St. Martin	X
6) Walter de Bavent		X
7) William of Bayeux	Avicia	X
8) Peter of Beckering		X
9) Thomas of Beelsby		
10) Walter of Beelsby	Amabel	X
11) Alan of Benington in Skirbeck		X
12) John de Bergate (Bergates)	Alina, widow of Robert of Thorganby	X
13) William Berner		X
14) Jordan of Brackenborough	Alice	X
15) Peter de Campania	1) Mother of Sarah 2) Agnes	X
16) William of Carlton	Elizabeth de Argentam	X
17) William the Chamberlain of Morton by Bourne		
18) Nicholas de Chavincurt	Sybil, widow of Walter de Ver	X
19) John Coleman		
20) John of Edlington		X
21) Alan of Enderby		
22) Roger of Enderby		
23) John Escavin	Margaret, daughter of Herbert Morant	X
24) Thomas the Falconer		
25) William de Farcellis		X
26) John of Fen		
27) Walter of Hamby		X
28) Jollan of Healing		X
29) Ralph of Healing		X
30) William fitzSimon of Holbeach	Daughter of Conan fitzEllis	X
31) Ralph fitzStephen of Holland	Lecia	X
32) Harold fitzHumphrey		X
33) Alexander of Iboft		X
34) Walter fitzIvo	Isabella	X
35) Baldwin of Lavington		
36) Robert of Legbourne		X
37) William de Lisures	? Alice	X
38) William fitzWalter of Mablethorpe		
39) Walter of Martin by Timberland	1) Ybri 2) Matilda, widow of Martin of Canwick	X
40) Adam de Merle	Milicent	X
41) Herbert de Neville		X
42) Jerome of Normanby	Agnes	X
43) Gilbert of Ormsby		

Name of Knight	Name of Wife (If Known) ? = Possible Wife	X = Wife / Female Relation(s) Found
44) Robert fitzWilliam of Owmbay		
45) Robert Pincun		
46) Waleran of Rochford	Albreda, daughter of Ralph of Fen	X
47) William of Rothwell		X
48) Roger de St. Martin		X
49) Robert de Sandale		
50) Ingelram fitzSimon		
51) Geoffrey of Thorpe	? Matilda OR ?Agnes	X
52) Robert of Thurlby		
53) Philip of Timberland		X
54) Adam of Tydd		
55) Matthew Vanin		
56) Hugh of Wigtoft		
57) William of Willoughby	Matilda, daughter of William of Fulletby	X
58) Roland of Woodhall		X

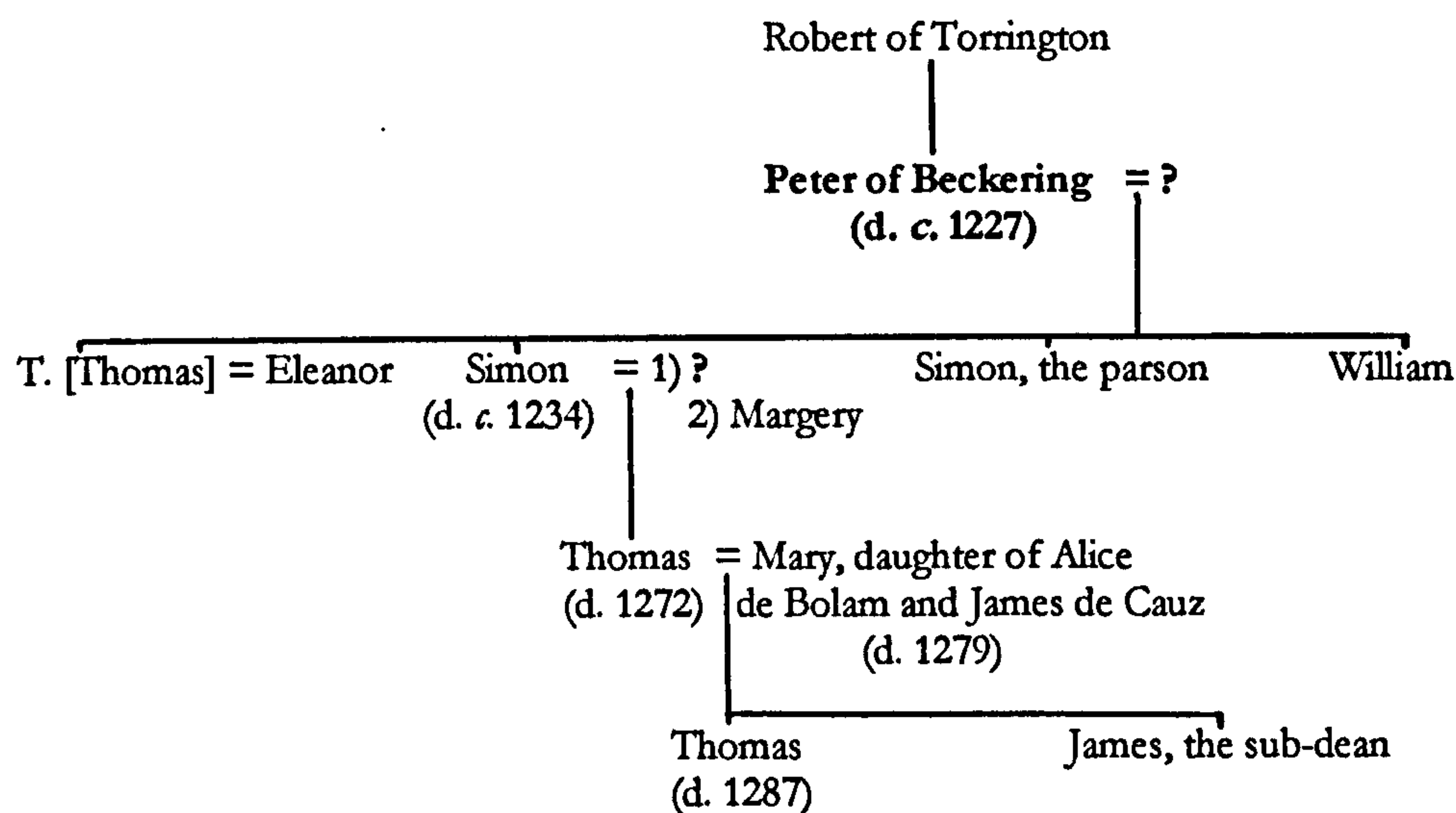


Appendix XI

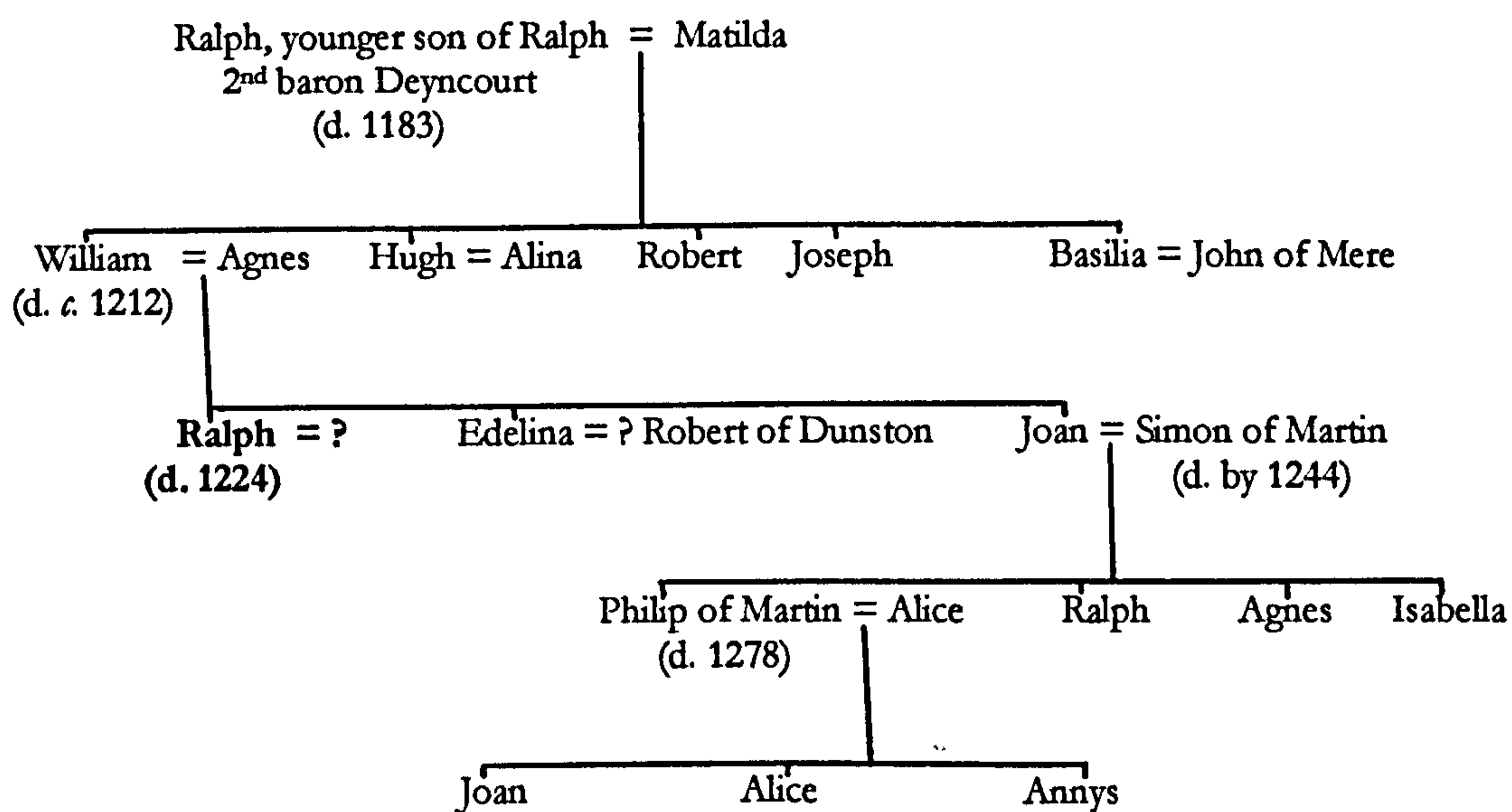
Family Trees for Chapter 2

Knights in administrative service during the Lincolnshire eyre of 1218-1219 and their wives, when known, appear in bold type.

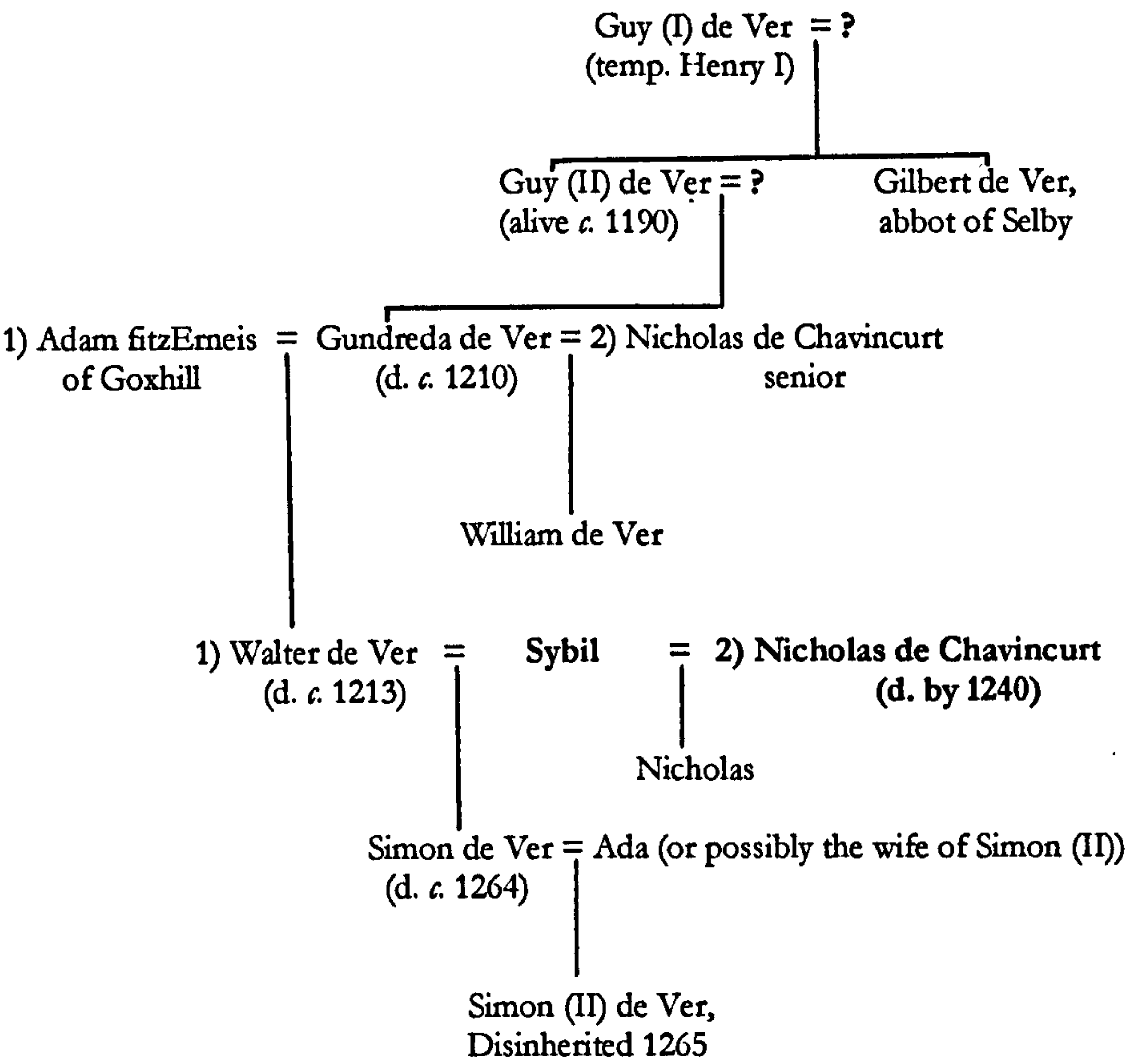
A. The Beckering Family



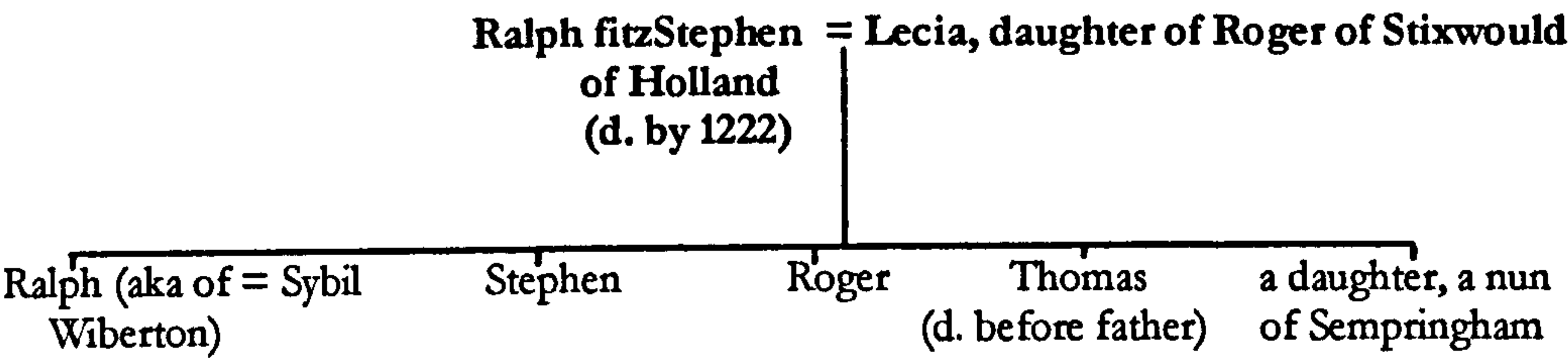
B. The Deyncourt Family (Potter Hanworth Branch)



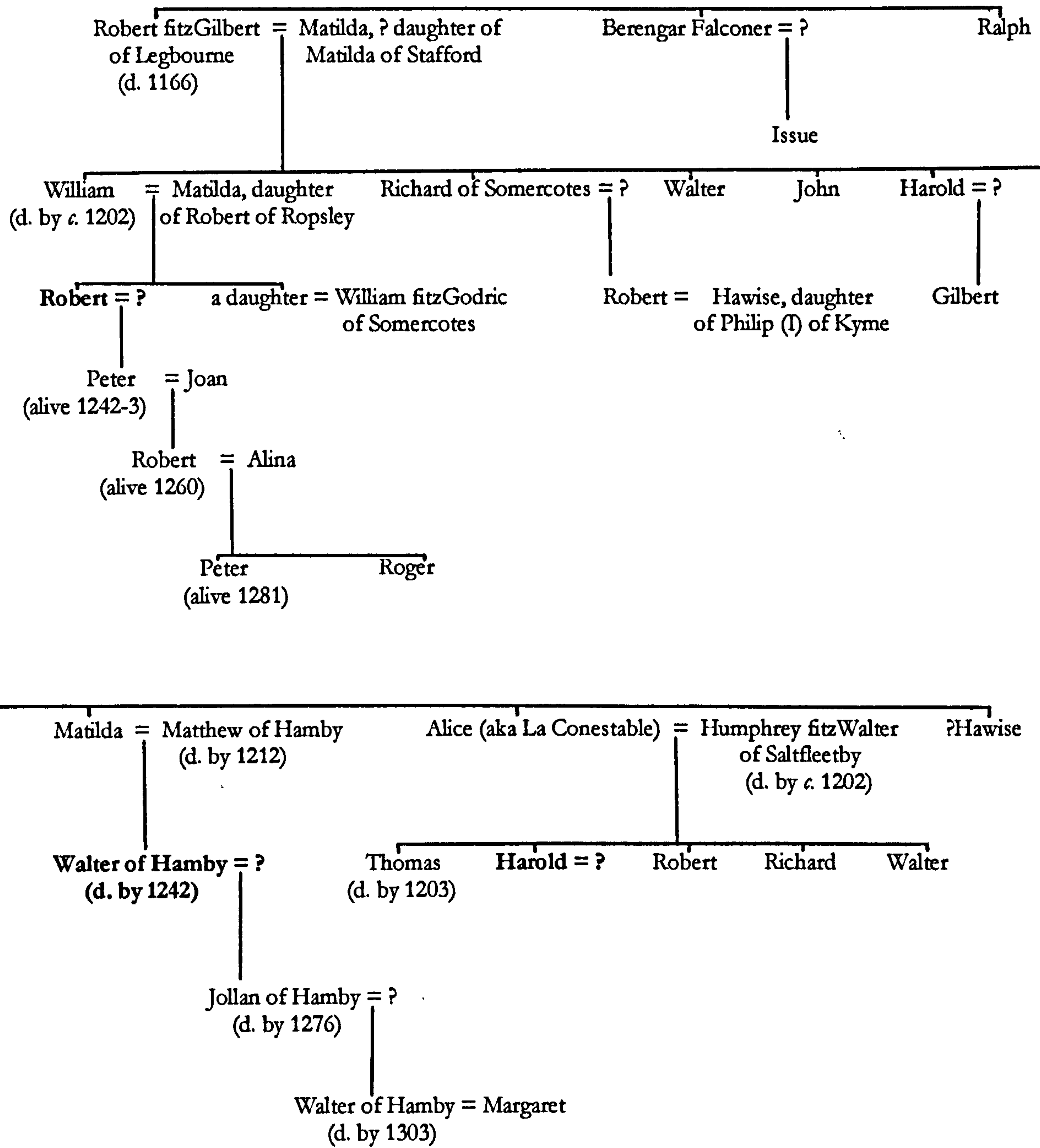
C. The Chavincurt and Ver Families



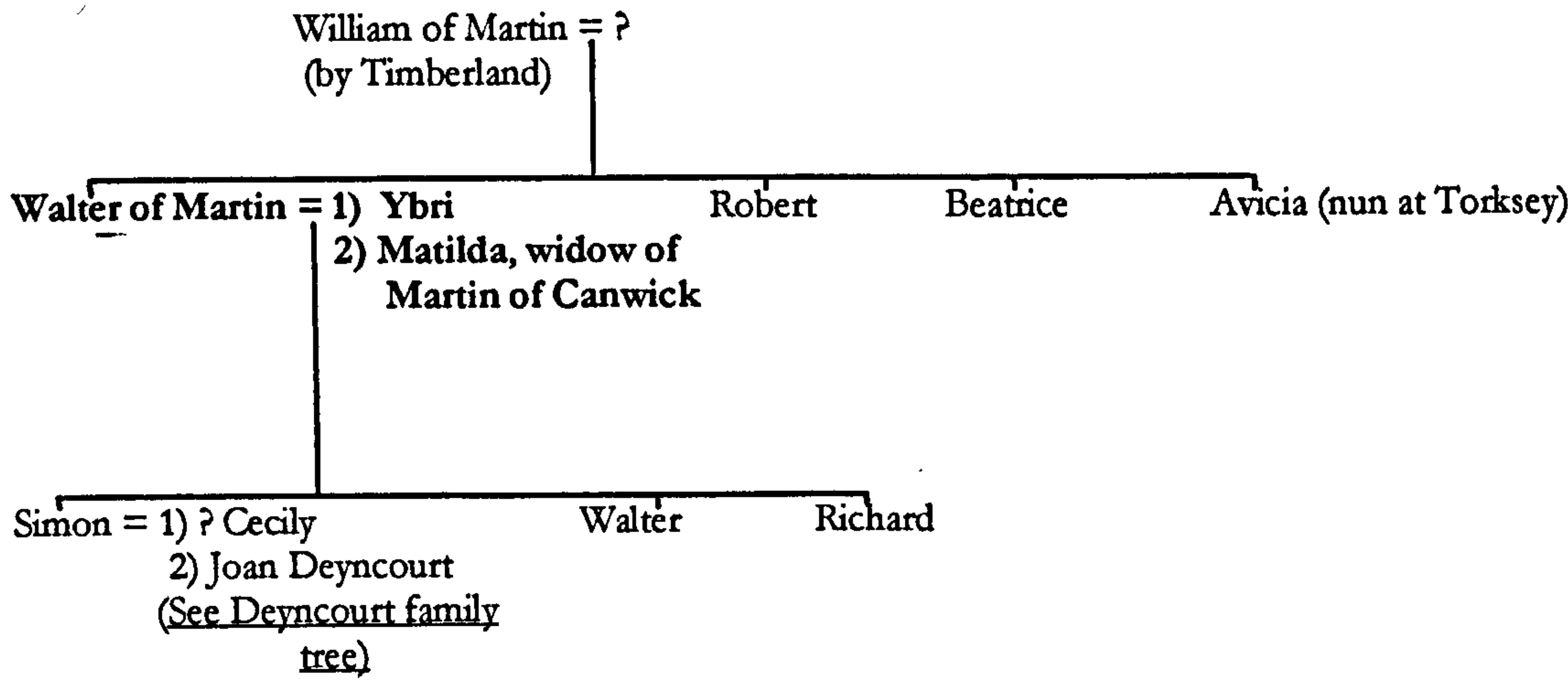
D. The Holland Family



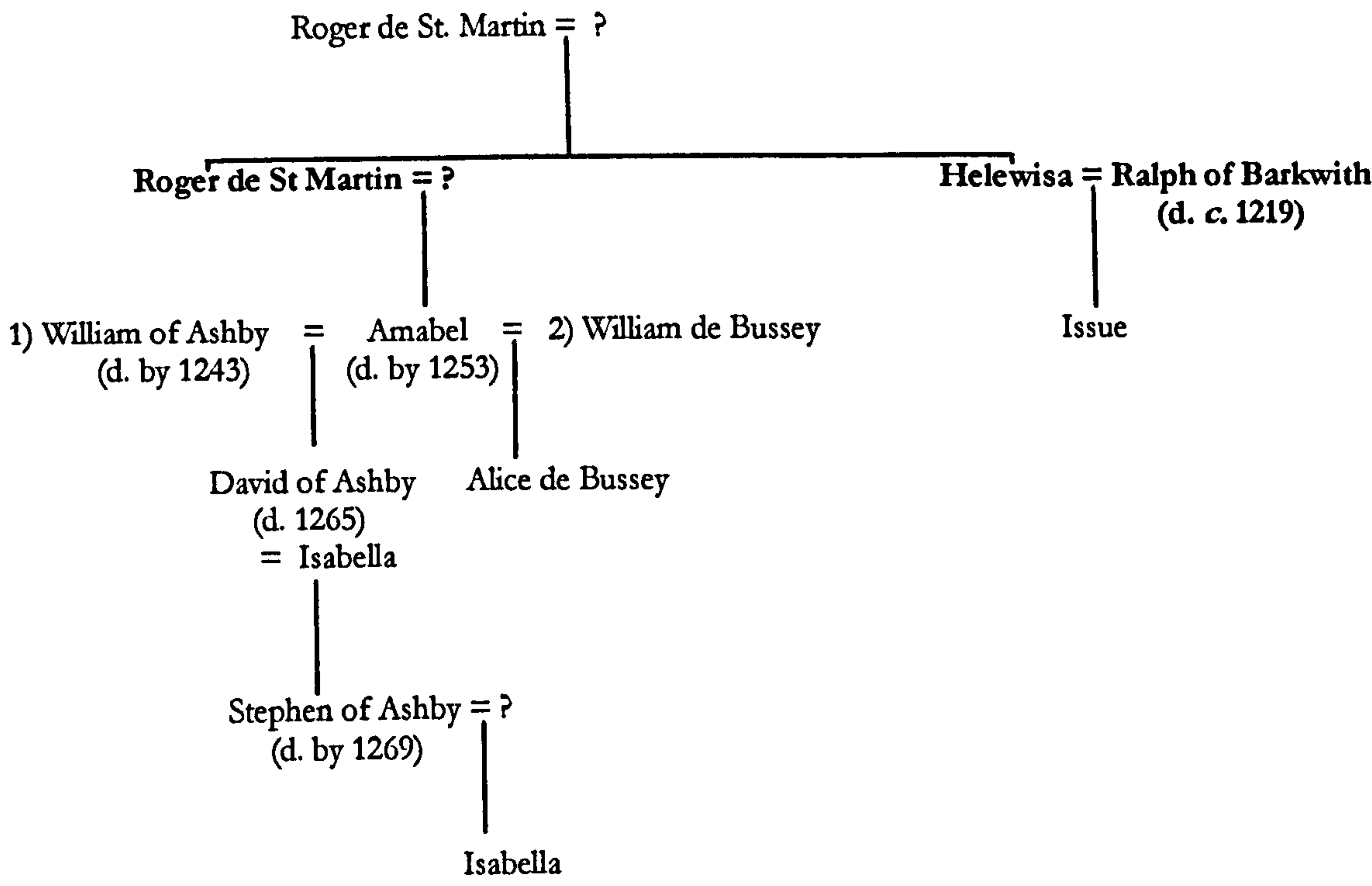
E. The Legbourne Family (incorporating the Hamby and fitzHumphrey Families)



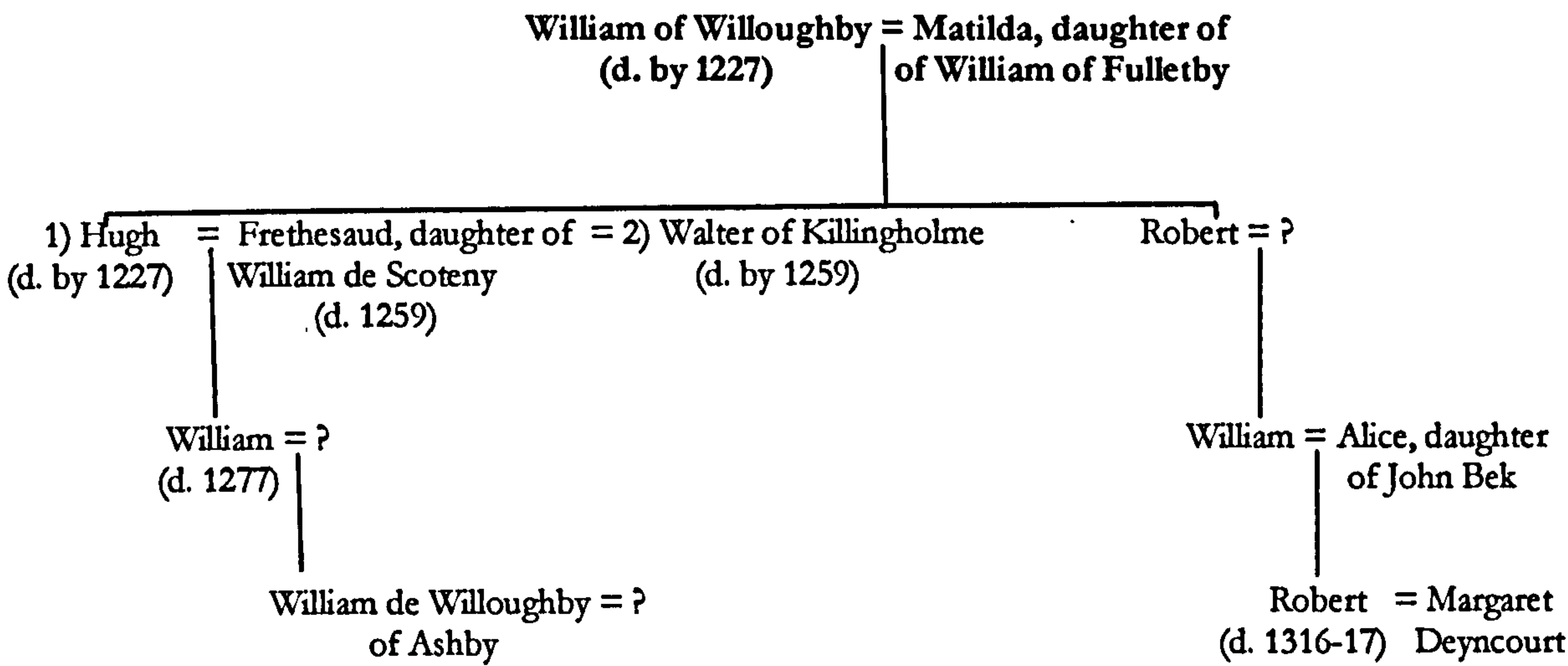
F. The Martin Family



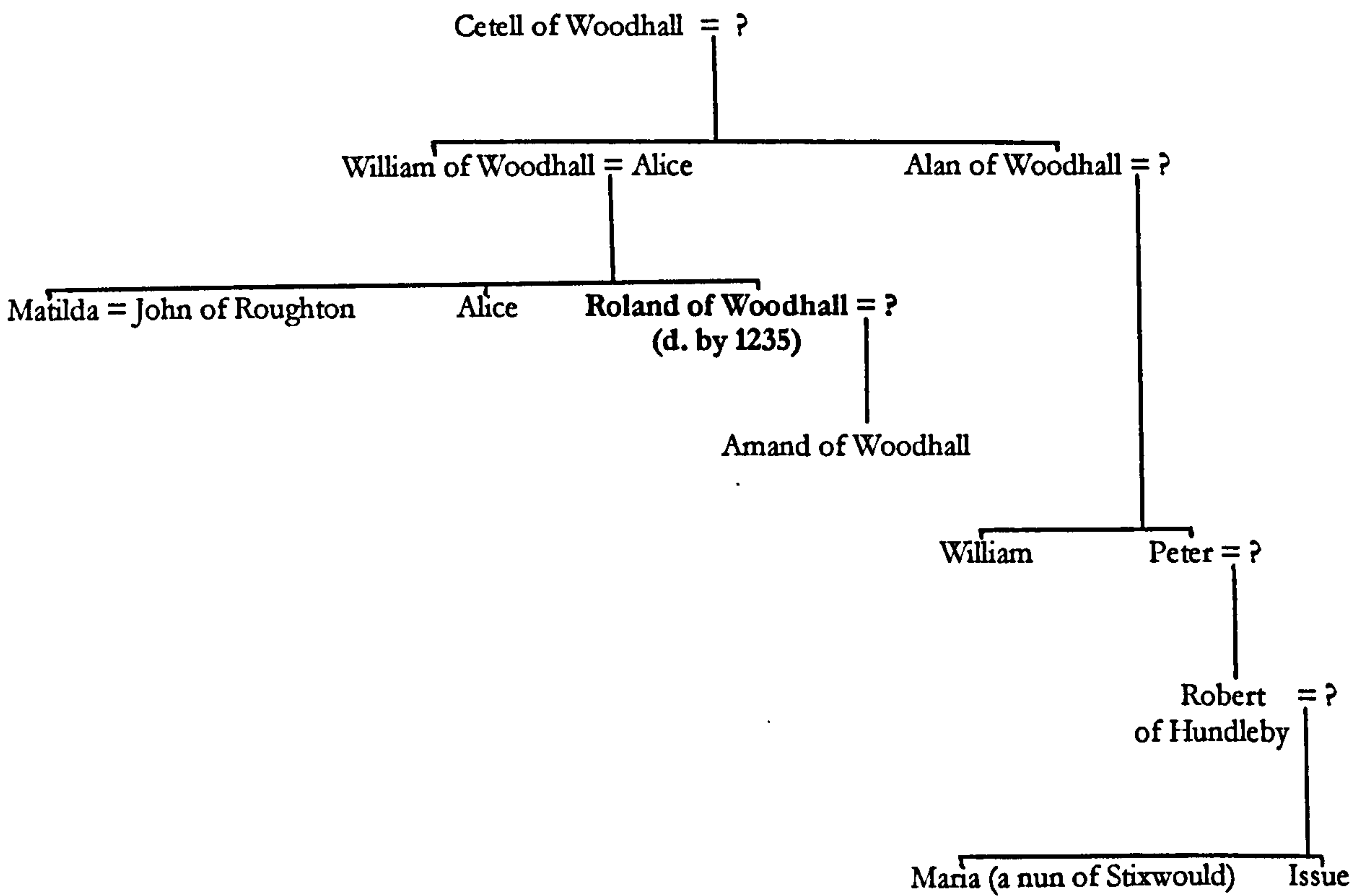
G. The St. Martin Family (incorporating the Barkwith family)

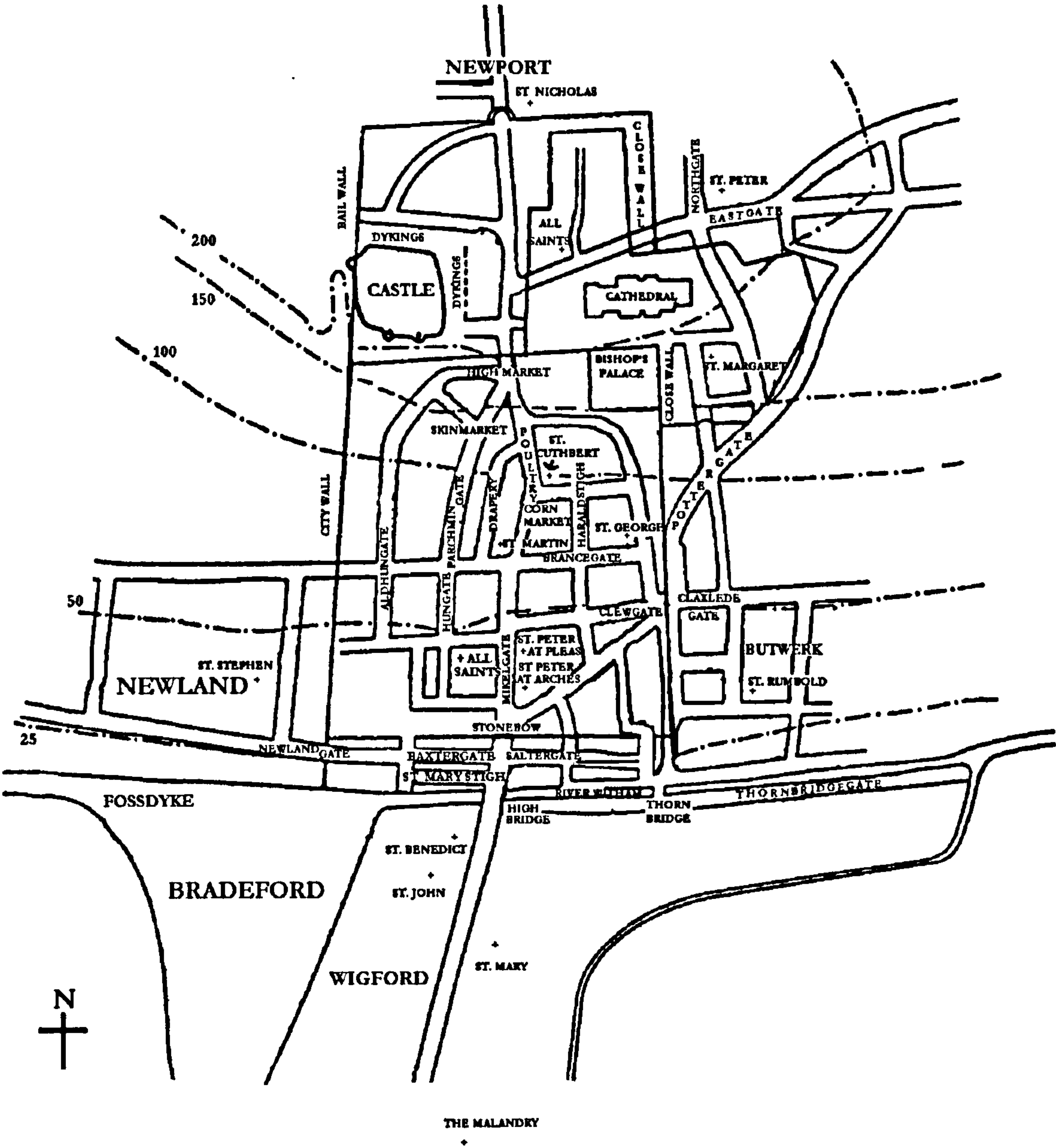


H. The Willoughby Family



I. The Woodhall Family





Based on Hill, *Medieval Lincoln*, 203, 244. This map only shows those parishes mentioned in chapter three.

Appendix XIIIAle-toll and Brewers' Amercements paid by Women in Lincoln in 1292-1293 (PRO. E101/505/24. mm. 7-12)

Name	Ale-toll at Martinmas	Ale-toll at Pentecost	Newport Ale-toll	First Amercement of Brewers	Second Amercement of Brewers
1. Sibyl Skayll'	X				
2. Cecily Vilayn	X	X		X	X
3. Laurota le (<i>sic</i>) Copper	X	X			X
4. Agnes la Chaundeler	X	X		X	X
5. Alice of Caythorpe	X	X		X	X
6. Magota of Nocton	X	X		X	X
7. Matilda [aka Widow of William] of Baxtergate	X	X		X	X
8. <i>Ancilla</i> of John le Longtaverner	X				
9. Matilda of London	X	X		X	X
10. Lecia la Fauconer	X			X	
11. Beatrice le (<i>sic</i>) Gaunter	X				
12. Matilda la Toller	X	X		X	
13. Oliva of Kelsey	X	X		X	X
14. Sarota of Gayton	X				
15. Elizabeth Pulker	X	X			
16. Alice of Coleby	X	X		X	X
17. Dyota of Fishlake	X	X		X	X
18. Alice of Reepham	X	X		X	X
19. Agnes Wylpot	X	X		X	X
20. Agnes of Navenby	X	X		X	X
21. Matilda la Skinner	X				
22. Joan Bate	X	X		X	
23. Dulcia in le Styk'	X				
24. Alice widow of Luke	X				
25. Matilda of Hibaldstow	X				
26. Agnes Atte Loft	X				
27. Eva de Balliolo	X	X		X	X
28. Isabella Pylat	X	X		X	
29. Idonea of Fulbeck	X	X		X	X
30. Wife of John Pynell'		X			
31. Wife of William of Hackthorn		X			
32. Wife of Philip of Barlings		X			
33. Wife of Robert de Thornhank'		X			
34. Wife of Adam Ack'		X			
35. Wife of John de Patishill'		X			
36. Wife of Philip le Chareter		X			
37. Widow of Willam le Bercher		X			

Name	Ale-toll at Martinmas	Ale-toll at Pentecost	Newport Ale-toll	First Amercement of Brewers	Second Amercement of Brewers
38. Wife of Alexander of Newport		X			
39. Hawise Lyword		X			X
40. Wife of Roger Thaggarth'		X			
41. Wife of Stephen de Blyda		X			
42. Wife of William le Neyr		X			
43. Wife of Adam le Lorimer		X			
44. Wife of William of Burton		X			
45. Wife of Robert le Spicer		X			X
46. Wife of William of Skellow		X			
47. Wife of Adam le Coureyur		X			
48. Wife [aka widow] of Ralph the Smith		X			X
49. Wife of William of Grimsby		X			
50. Wife of Adam of Crosby		X			
51. Wife of Robert Hegenon		X			
52. Wife of William of Minting		X			
53. Wife of John de Byuinton'		X			
54. Wife of Ralph the Smith (x2)		X			
55. Emmota [aka Mariota, Emma] of Fillingham		X	X		X
56. Alice of Redbourne		X			X
57. Alice de Nova terra		X			X
58. Agnes Amesas		X			
59. Agnes de Solar'		X	X		X
60. Margaret of Spilsby		X			
61. Matilda of Thame		X			X
62. Alice la Noryce		X			
63. Wife of Robert the Baker			X		
64. Agnes Thurstan			X		
65. Emma Swane			X		
66. Sibyl le (<i>sic</i>) Marays			X		
67. Felicia la Lavender			X		
68. Widow of Cromwell				X	
69. Wife of William of Skinnand					X
70. Joan la Greser					X
Totals	29	52	7	19	25

Appendix XIV

Ale-toll and Brewers' Amercements paid by Women in Lincoln in 1297-1298 (PRO, E101/505/28, mm. 6-11)

Name	Ale-toll at Martinmas	Ale-toll at Pentecost	Newport Aletoll	First Amercement of Brewers	Second Amercement of Brewers
1. Agnes Ermyn	X			X	X
2. Elizabeth Pulker	X	X		X	X
3. Beatrice of Saleby	X	X		X	X
4. Alice of Coleby	X	X		X	X
5. Joan of Canwick	X			X	X
6. Agnes of Navenby	X	X		X	X
7. Agnes of Rasen	X	X		X	X
8. Juliana Wylpot	X			X	X
9. Beatrice la Tayllur	X	X		X	X
10. Rosa of Skinnand	X				
11. Agnes Faukes	X				X
12. Amya of Ranby	X	X		X	X
13. Dulcia in le Styk'	X	X		X	X
14. Alice Cause	X	X		X	X
15. Joan la Lung	X				X
16. Avice Coker	X	X		X	X
17. Agnes Mardended	X			X	X
18. Isolda la Gaunter	X			X	X
19. Cecily Vylain	X	X		X	X
20. Joan of Bedford	X				
21. Laurota la Cupper	X	X		X	X
22. Agnes la Gaunt	X	X		X	X
23. Alice [<i>Ancilla</i> of Geoffrey] de Nothale	X			X	
24. Matilda la Toller	X			X	X
25. Oliva of Kelsey	X	X		X	X
26. Matilda Neubreuster	X	X		X	
27. Matilda of London	X	X		X	X
28. Matilda of Grimsby	X	X		X	X
29. Matilda la Grosse (aka la Grete)	X	X		X	X
30. Hawise of Burton	X	X		X	X
31. Matilda of Baxtergate	X	X		X	X
32. Alice la Mouner	X	X		X	X
33. Alice of Caythorpe	X	X		X	X
34. Alice de Atherby	X				X
35. Agnes la Chaundeler	X	X		X	X
36. Eva de Balliolo	X	X		X	X
37. Hawise Lyword	X			X	X
38. Margaret la Carter	X	X		X	X
39. Wife of Geoffrey fitzElias		X		X	X
40. Idonea la Feure		X		X	X
41. Lecia la Fauconer				X	
42. Alice Cause (x2)		X			X
43. Helewise [aka Hawise] Kyt			X		X
44. Sibyl de Wolingham			X		
45. Alice of Riseholme			X		
46. Wymarca la Braceresce			X		
47. Sibyl la Braceresse			X		

Name	Ale-toll at Martinmas	Ale-toll at Pentecost	Newport Aletoll	First Amercement of Brewers	Second Amercement of Brewers
48. Alice widow			X		
49. Juliana la Braceresse			X		
50. Matilda de Ballio			X		
51. Joan of Bolingbroke					X
52. Agnes Scarlet					X
53. Agnes de Hepeham					X
54. <i>Ancilla</i> of Robert le Wayder					X
Totals	38	28	8	36	42

Appendix XV**Women with Locative Surnames in Robert le Venour's Accounts (PRO, E101/505/24)*****Key***

Near Lincoln = From a place within a twenty mile radius of Lincoln.

Lincolnshire = From a place over twenty miles away from Lincoln but still in the county of Lincoln.

Outside Lincolnshire = From a place over twenty miles away from Lincoln that is in another county.

Unlocated = From an unidentified place.

****** = A place-name found in more than one county and which I have identified here with the nearest place of possible origin to the city of Lincoln.

Near Lincoln

1. Bela of Aubourn
2. Matilda of Aubourn
3. Sarra of Blyborough
4. Alynna of Boultham
5. Joan of Bracebridge
6. Agnes of Broxholme
7. Matilda of Bucknall**
8. Agnes of Canwick
9. Matilda of Canwick
10. Richilda of Canwick
11. Sarra of Canwick
12. Alice of Carlton**
13. Alice of Caythorpe**
14. Alice of Coleby**
15. Hawise of Corringham**
16. Widow of Cromwell (Nottinghamshire)
17. Emmota of Fillingham
18. Idonea of Fulbeck
19. Leticia of Glentworth
20. Matilda of Glentworth
21. Derota of Grayingham
22. Alice of Haddington

23. Amabel of Harpswell
24. Matilda of Hibaldstow
25. Oliva of Kelsey**
26. Matilda of Kettlethorpe
27. Alice of Langworth
28. Agnes of Lissington
29. Agnes of Navenby
30. Alice of Nettleham
31. Alice of Newball
32. Magota of Nocton
33. Marieria of Nocton
34. Margery of Norton**
35. Alice of Redbourne**
36. Alice of Reepham**
37. Emma of Scarle
38. Matilda of Snitterby
39. Alice of Stapleford**
40. Marieria of Stixwoud
41. Matilda of Stow**
42. Mabel of Thorpe**
43. Richilda of Torksey
44. Aldusa of Upton**
45. Hawise of Waddington**
46. Juliana of Waddington**
47. Alice of Wellingore

Lincolnshire

1. Matilda of Aylesby
2. Ylbota of Barton**
3. Amabel of Crosby**
4. Agnes of Fen**
5. Sarota of Gayton**
6. Alice of Holland**
7. Alice de Northwyk' (Wykes)**
8. Amya of Partney
9. Margaret of Spilsby

10. Mariota of Walmsgate
11. Emmota (aka Emma) of Waltham**

Outside Lincolnshire

1. Alice de Cliston' (Clipstone, Nottinghamshire)**
2. Dyota of Fishlake (Yorkshire)
3. Alice of Frisby (Leicestershire)
4. Alice of Howden (Yorkshire)**
5. Matilda of London
6. Agnes of Richmond (Yorkshire)**
7. Beatrice de Scardeburg' (Scarborough, Yorkshire)
8. Matilda of Southwell (Nottinghamshire)**
9. Matilda of Thame (Oxfordshire)
10. Beatrice of Warsop (Nottinghamshire)

Unlocated

1. Eve de Balliolo
2. Alice de Fornays
3. Alice de Hamelton'
4. Christine de Lannesdale
5. Isabella de Montibus
6. Alice de Nova terra
7. Mariota de Saham
8. Alice de Walne
9. Lucy de Wynterington

Appendix XVI

Merchet in Sutton, 1305-1306

Source: PRO, DL 30/85/1157

Name of Bride	Relation of Payer to Bride	Amount of Land held by Bride (if mentioned)	Marriage within Manor (W) / outside Manor (O)	Amount Paid
Beatrice daughter of Geoffrey King	Father	-	O	10s.
Geva widow of Geoffrey Gerveys	Bride	5 acres of bond land	O	<i>vacat.</i>
Matilda widow of William fitzGeoffrey	Bride	1 messuage, 1 acre, 3 roods and 20 perches of bond land	W	6s. 8d.
Geva daughter of Christiana	Husband (Concealed Marriage)	1 acre of land	O	26s. 8d.
Beatrice daughter of Geoffrey	Brother	-	O	6s. 8d.
Christiana Haldeyn	Bride	-	O	10s.
Edusa daughter of Norman Elred'	Bride	-	O	12d.
Margaret daughter of Beatrice Robyn	Widowed Mother	-	O	4s.
Agnes sister of Peter Brock'	Brother	-	O	5s.
Joan Gilbert	Husband	5 acres of bond land	W	20s.

No merchets are recorded in PRO, DL30/85/1158 (an undated fragment of a roll for Sutton)

Merchet in Sutton, 1308-1310

Source: PRO, DL30/85/1159

Name of Bride	Relation of Payer to Bride	Amount of Land held by Bride (if mentioned)	Marriage within Manor (W) / Outside Manor (O)	Amount Paid
Alice sister of Richard Knylle	Brother	-	O	12 <i>d</i> .
Geva daughter of John de Caggate	Bride	-	W	18 <i>d</i> .
Constance daughter of Geoffrey of Loveden	Husband	14½ acres of bond land	W	30 <i>s</i> .
Joan daughter of Ralph Beveriche	Father	-	O	- (Not stated)
Geva sister of Thomas de Mora	Brother	4 acres of free land	W	6 <i>s</i> . 8 <i>d</i> .
Agnes widow of Geoffrey Kedewyn (aka Kydewyn)	Husband	A messuage and 13 acres of land held in dower	-	26 <i>s</i> . 8 <i>d</i> .
Lecia widow of Simon the smith	Husband	1½ acres of land held by the gift of the bride's father and 10 acres of land held in dower	-	20 <i>s</i> .
Alice daughter of Simon Attestowe	Father	-	O	3 <i>s</i> . 4 <i>d</i> .
Helevisa daughter of Alan Norman (crossed through in roll)	Father	-	W	- (Not stated)

Merchet in Sutton, 1312-1313

Source: PRO, DL30/85/1160

Name of Bride	Relation of Payer to Bride	Amount of Land held by Bride (if mentioned)	Marriage within Manor (W) / Outside Manor (O)	Amount Paid
Emma daughter of Geoffrey Gilbert	Bride (Concealed Marriage)	-	-	12 <i>d</i> .
Agnes Hereward	Bride	-	O	3 <i>s</i> .

Merchet in Sutton, 1313-1314

Source: PRO, DL30/85/1161

Name of Bride	Relation of Payer to Bride	Amount of Land held by Bride (if mentioned)	Marriage within Manor (W) / Outside Manor (O)	Amount Paid
Alice daughter of John fitzHenry	Father	-	W	10s.
Agnes daughter of Herward fitzGoda	Father	-	O	10s.
Beatrice daughter of Goda Nicol	Mother	-	O	5s.
Alice daughter of Robert Carter	Bride	-	W	2s.
Agnes sister of Geoffrey fitzJohn	Brother	-	O	6s 8d.
Isabella daughter of William de Mora	Bride	-	O	10s.
Ela daughter of Geoffrey fitzAlbe	Father	-	W	2s.
Matilda widow of William Edmund	Bride	-	W	4s.
Beatrice Cauchoum	Husband	-	-	2s.
Emma widow of Geoffrey Nicol	Husband	7 acres of bond land held in dower	-	20s.
Joan daughter and heir of Geoffrey Kydewyn, <i>nativa domini</i>	Husband	Unspecified lands	-	£10 (<i>coram consilio domini</i>)
Matilda daughter of Thomas fitzAlice	Husband	2 acres of land	-	16s.
Matilda daughter of John ?fitzPeter	Father	-	O	40s.

Appendix XVII

Merchet in Ingoldmells, 1291-1315

Source: *Court Rolls... Ingoldmells*, 1-47. There are large gaps in these records, especially between 1293 and 1302, and 1303 and 1312. The ministers' accounts for Michaelmas 1295 to Michaelmas 1296 alone list merchets paid for five marriages. See PRO, DL29/1/1, m. 8d.

Name of Bride	Relation of Payer to Bride	Amount of land held by bride (if mentioned)	Marriage Within Manor (W) / Outside Manor (O)	Amount Paid
Clementia Thori	Husband	-	-	13s. 4d.
Beatrice Pullayn	Bride	-	W	3s.
Margaret Meriet	Bride	-	O	18d.
Elena Turs	Bride	5 acres of bond land	W	10s.
Sarah Swete	Bride	-	O	3s.
Christiana daughter of Thomas Bigge	Father (Concealed Marriage)	-	O	2s.
Eleanor daughter of Thomas Bigge	Father (Concealed Marriage)	-	O	2s. (same case as above)
Emma daughter of Walter Chapman	Father	-	W	3s. 4d.
Matilda daughter of Alan de Galewayth	Husband	6 ½ acres of land	-	26s. 8d.
Beatrice daughter of William Belte of Skegness	Bride	-	O	2s.
Margaret daughter of William Bigge	Father	-	O	2s.
Matilda daughter of Alan at Grange	Bride	-	O	6d.
Beatrice de Dunedyk	Bride (Concealed Marriage)	-	-	3d.

Appendix XVIII**Brewsters in Langtoft and Baston (LAO, 6Anc1/4-8)***Key:*

W – woman is named in the list (if there is a line through the 'W', her name has been crossed through)

H – woman's husband is named in the list

(L) – Langtoft brewster

(B) – Baston brewster

Names		Nov 1265	May 1266	1265 - 1266	Oct 1266	Jan 1267	May 1273	Nov 1273	Dec 1290	Total No. of Appearances
1. Matilda daughter of Richard		W (L)								1
2. Sara de Valle		W (L)	W (L)	W (L)	W (L)					4
3. Alice Wising'		W (B)	W (B)							2
4. Wife of Brian		W (B)	W (B)	W (B)	W (B)	W (B)	W (B)		W (B)	7
5. Wife of Roger Shepherd		W (B)	H (B)	H (B)	H (B)	W (B)			H (B)	6 (2 by wife, 4 by husband)
6. Agnes daughter of Gilbert			W (B)							1
7. Matilda of Baston			W (L)							1
8. Edusa <i>ancilla</i> of Roger Brian				W (L)						1
9. Amicia de Wytering				W (L)						1
10. Ailbrida widow				W (L)						1
11. Gunilda wife of Guy				W (L)						1
12. Elena daughter of Geoffrey				W (L)						1
13. Emma wife of William Furmage		H (L)		W (L)	W (L)				H (L)	4 (2 by wife, 2 by husband)
14. <i>Quedam</i> of Stamford at Andrew Suel's House				W (L)	W (L)					2
15. Wife of Joseph				W (L)						1
16. Wife of <i>Scot'elias</i> at the House of Alan				W (B)						1
17. Lettice wife of Lonegchamp (<i>sic</i>)				W (B)			W (B)			2

Names		Nov 1265	May 1266	1265 - 1266	Oct 1266	Jan 1267	May 1273	Nov 1273	Dec 1290	Total No. of Appearances
18. Wife of Robert or Robin fitzAlexander			H (B)	H (B)	H (B)	W (B)				4 (1 by wife, 3 by husband)
19. <i>Quedam</i> of Stamford at W. Roland's House					W (L)					1
20. Wife of the Reeve							W (L)	W (L)	H (L)	3 (2 by wife, 1 by husband)
21. Wife of John Huet		H (L)	H (L)	H (L)			W (L)	W (L)	H (L)	6 (2 by wife, 4 by husband)
22. Wife of R. Dingel		H (L)			H (L)		W (L)			3 (1 by wife, 2 by husband)
23. Margery [S]turdiz ?aka wife of Burdiz							W (B)		W (B)	2
24. Emma wife of [B]ate							W (B)			1
25. Agnes the carpenter				? H (B)			W (B)			2 (1 by wife, 1 by ?husband)
26. Wife of Andrew Monach'			H (L)	H (L)	H (L)		H (L)	W (L)	H (L)	6 (1 by wife, 5 by husband)
27. Wife of Robert <i>sres</i> '								W (L)		1
28. Wife of Henry Cook			H (L)	H (L)				W (L)		3 (1 by wife, 2 by husband)
29. <i>Domina</i> Alex'									W (L)	1
30. <i>Ancilla</i> of Swetmann'									W (L)	1
31. <i>Ancilla</i> of H. de Wnterig'									W (L)	1
32. Cecily daughter of Robert									W (L)	1
Total Women		5	5	12	5	3	8	5	6	
Total with Husbands		8	10	18	9	3	9	5	11	

Appendix XIX

Brewsters in Sutton (PRO, DL30/85/1157, 1159-1161)

Key:

W - woman is named in the list (if there is a line through the 'W', her name has been crossed through)

H - woman's husband is named in the list

Name	Sutton & Lutton Pent. 1306	Sutton May 1309	Lutton May 1309	Sutton & Lutton Oct. 1312	Sutton Oct. 1313	Lutton Oct. 1313	Sutton Pent. 1314	Lutton Pent. 1314	Total No. of Appea- rances
1. Matilda wife of William fitzDolbe	W								1
2. Wife of Guy la Warde	W								1
3. Alice Sporkil	W								1
4. Wife of John Sporkil	H	H		H			W		4 (1 W, 3 H)
5. Matilda de Blyton'	W								1
6. Wife of William of Loveden	W					W		W	3
7. Wife of Nicholas fitzPeter	W							W	2
8. Beatrice the smith (<i>faber</i>)	W								1
9. Wife of Fulk Everard	W								1
10. Wife of Nicholas Doux' (aka fitzDousce)	W			H		W		W	4 (3W, 1H)
11. Wife of Simon Austyn	W								1
12. Wife of John Gilberd	W								1
13. Wife of Robert Adam	W								1
14. Wife of Robert Dolbe	W					W		W	3
15. Sabina Fyn		W					W		2
16. Beatrice Cade			W			W		W	3
17. Agnes, wife of Simon (fitz) Ganne	H	H	H	W	W		W		6 (3 W, 3 H)
18. Margaret daughter of Robert Ad'				W					1
19. Matilda wife of Roger Hereward			H	W		H		W	4 (2 W, 2 H)

Name	Sutton & Lutton Pent. 1306	Sutton May 1309	Lutton May 1309	Sutton & Lutton Oct. 1312	Sutton Oct. 1313	Lutton Oct. 1313	Sutton Pent. 1314	Lutton Pent. 1314	Total No. of Appea- rances
20. Wife of Richard Godgiom					W				1
21. Wife of William Edmund	H	H		H	W		W		5 (2 W, 3 H)
22. Wife of Robert Hamund	H	H		H	W		W		5 (2 W, 3 H)
23. Emia daughter of Geoffrey					W				1
24. Wife of John Wyldehauer	H	H		H	W		W		5 (2 W, 3 H)
25. Wife of Nicholas Pory	H			H	W		W		4 (2 W, 2 H)
26. Wife of Nicholas fitzNicholas					W		W		2
27. Wife of Hamund fitzRoger		H			W				2 (1 W, 1 H)
28. Wife of William Borwyn		H		H	W		W		4 (2 W, 2 H)
29. Matilda wife (and widow) of Simon fitzGilbert	H				W		W		3 (2 W, 1 H)
30. Wife of William fitzPeter	H	H			W		W		4 (2W, 2H)
31. Alice Rodolf					W				1
32. Wife of Simon Gallardon					W		W		2
33. Wife of William Tayllour	H	H			W		W		4 (2 W, 2 H)
34. Emia Campion	?H	?H			W		W		4 (2 W, 2 ?H)
35. Wife of Geoffrey the smith	H	H			W				3 (1 W, 2 H)
36. Wife of Robert fitzSimon	H		H	H		W		W	5 (2 W, 3 H)
37. Wife of J. fitzPeter						W			1
38. Wife of Geoffrey Polle	H					W		W	3 (2 W, 1 H)
39. Wife of Tristan Bolewar							W		1
40. Wife of Walter de Penyston				H	H		W		3 (1 W, 2 H)

Name	Sutton & Lutton Pent. 1306	Sutton May 1309	Lutton May 1309	Sutton & Lutton Oct. 1312	Sutton Oct. 1313	Lutton Oct. 1313	Sutton Pent. 1314	Lutton Pent. 1314	Total No. of Appea- rances
41. Wife of Ralph Beveriche	H	H		H	H		W		5 (1 W, 4 H)
42. Wife of Henry Bontyng'		H		H	H		W		4 (1 W, 3 H)
43. Wife of Hamo fitzRoger				H			W		2 (1 W, 1 H)
44. Wife of Geoffrey Ganne	H	H			H		W		4 (1 W, 3 H)
45. Wife of Simon Chapman				H	H		W		3 (1 W, 2 H)
46. Wife of John Gardener					H		W		2 (1 W, 1 H)
47. Wife of Guy Nichol					H		W		2 (1 W, 1 H)
48. Wife of Geoffrey of Loveden					H		W		2 (1 W, 1 H)
49. Wife of Geoffrey de Redirwyk	H	H			H		W		4 (1 W, 3 H)
50. Wife of John Bomb'					H		W		2 (1 W, 1 H)
51. Wife of John Jordan					H		W		2 (1 W, 1 H)
52. Wife of Walter Everard							W		1
53. Wife of John Harveys			H	H		H		W	4 (1 W, 3 H)
54. Wife of William fitzGeoffrey						H		W	2 (1 W, 1 H)
55. Wife of John de Dykeby			H			H		W	3 (1 W, 2 H)
Total Women	13	1	1	3	17	7	28	11	
Total with Husbands	29	16	6	17	28	11	28	11	

Appendix XX

Regrators and Hucksters of Bread and Ale in Sutton (PRO, DL30/85/1157, 1159-1161)

- Key:
- W - woman is named in the list (if there is a line through the 'W', her name has been crossed through)
 - H - woman's husband is named in the list
 - (A&B) - a regrator / huckster of ale and bread
 - (A) - a regrator / huckster of ale
 - (B) - a regrator / huckster of bread
 - (-) - not specified

Name	Regrators (Sutton & Lutton) Pent. 1306	Regrators (Sutton) May 1309	Hucksters (Lutton) May 1309	Regrators (Sutton & Lutton) Oct. 1312	Regrators (Sutton) Oct. 1313	Regrators (Sutton & Lutton) Pent. 1314	Total
1. Margaret widow of John Nichol	W (A&B)						1
2. Emma wife of John fitzSarra	W (A&B)	H (A)	W (-)				3 (2 W, 1 H)
3. Alice Beveriche	W (A)	W (A)				W (-)	3
4. Wife of Augustine the smith	W (A)	W (A)		H (-)	W (-)	W (-)	5 (4 W, 1 H)
5. Claricia Herward	W (A&B)						1
6. Agnes Piper	W (A&B)						1
7. Cecily Attehasse	W (A&B)	W (A&B)					2
8. Alice Herward	W (A&B)						1
9. Emecina wife (& widow) of John fitzPeter	W (A)		W (-)				2
10. Margaret Aleyn	W (A)		?H (-)		?H (-)	?H (-)	4 (1 W, 3 ?H)
11. Wife of John Celler	W (A)				H (-)	H (-)	3 (1 W, 2 H)
12. Wife of Geoffrey <i>coopertor</i>	W (A&B)		W (-)				2
13. Agnes daughter of Simon fitzSarra	W (A)					W (A&B)	2
14. Geva wife (aka widow) of Geoffrey Gerveys	W (A)		W (B)				2
15. Wife of Guy Kedewyn	W (A)						1
16. Matilda Malle	W (A)						1
17. Wife of Thomas Cnape	W (A)						1

Name	Regrators (Sutton & Lutton) Pent. 1306	Regrators (Sutton) May 1309	Hucksters (Lutton) May 1309	Regrators (Sutton & Lutton) Oct. 1312	Regrators (Sutton) Oct. 1313	Regrators (Sutton & Lutton) Pent. 1314	Total
18. Wife of Thomas <i>soutor</i>	W (--)						1
19. Helewysa Calwesberd (aka Calvesbert)		W(A)			W (--)	W (--)	3
20. Geva Gardener		W (A)					1
21. Alice Petebyn	?H (A&B)	W (A&B)					2 (1 W, 1 ?H)
22. Alice Tornepeny		W (A&B)					1
23. Agnes daughter of Richard the carpenter		W (A&B)					1
24. Wife of Peter Attehesse		W (A)					1
25. Wife of Geoffrey Lambert	H (A)	W (--)					2 (1 W, 1 H)
26. Wife of Simon Austyn			W (--)	H (--)	W (--)	W (--)	4 (3 W, 1 H)
27. Wife of Helie <i>coopertor</i>			W (--)				1
28. Beatrice Knille			W (--)				1
29. Wife of Simon Parlebeyn			W (--)				1
30. Wife of Richard Richard (<i>sic</i>)			W (--)				1
31. Alice Mark'			W (--)				1
32. Emma daughter of Robert (the smith)			W (B)		W (--)	W (--)	3
33. Beatrice daughter of John the smith			W (--)				1
34. Margaret daughter of John Pereson			W (--)				1
35. Beatrice Thacker'				W (--)			1
36. Margaret le (<i>sic</i>) Sawere				W (--)			1
37. Alice le (<i>sic</i>) Souter'				W (B)			1
38. Innocentia daughter of John de Thorplond				W (--)		W (--)	2
39. Wife of Roger Tayllour	H (A&B)	H (A&B)			W (--)	W (--)	4 (2 W, 2 H)
40. Wife of Roger Pory					W (--)		1

Name	Regrators (Sutton) Pent. 1306	Regrators (Sutton) May 1309	Hucksters (Lutton) May 1309	Regrators (Sutton & Lutton) Oct. 1312	Regrators (Sutton) Oct. 1313	Regrators (Sutton & Lutton) Pent. 1314	Total No. of Appea- rances
41. Wife of John Rathe		H (A&B)			W (A&B)	H (A&B)	3 (1 W, 2 H)
42. Wife of Geoffrey the smith		H (-)			W (-)	W (-)	3 (2 W, 1 H)
43. Matilda Worthorpe					W (-)	W (A&B)	2
44. Alice Carter					W (-)		1
45. Wife of Geoffrey Herward					W (-)	W (-)	2
46. Beatrice daughter of John fitzPeter					W (-)	W (-)	2
47. Wife of Simon Lylycrop'					H (-)	W (A&B)	2 (1 W, 1 H)
48. Wife of William Cotte		H (A&B)			H (A&B)	W (A&B)	3 (1 W, 2 H)
49. Wife of Roger Blanche						W (-)	1
50. Wife of William fitzGilbert					H (-)	W (-)	2 (1 W, 1 H)
51. Wife of Nicholas Soutere		H (A)		H (-)	H (-)	W (-)	4 (1 W, 3 H)
52. Wife of Peter Prest					H (-)	W (-)	2 (1 W, 1 H)
53. Wife of J. Hackewornd' senior					H (-)	W (-)	2 (1 W, 1 H)
54. Agnes daughter of S. fitzSarra						W (A&B)	1
55. Sabina Fyn				W (-)		W (B)	2
56. Emecina Pipere						W (B)	1
57. Elviva Kempstere						W (A&B)	1
58. Wife of Thomas Alger	H (A&B)				H (-)	W (A&B)	3 (1 W, 2 H)
59. Wife of William Webstere		H (A&B)			H (-)	W (-)	3 (1 W, 2 H)
60. Emia Campion	?H (B)	?H (B)				W (B)	3 (1 W, 2 ?H)
61. Wife of William the shepherd					H (-)	W (-)	2 (1 W, 1 H)
62. Agnes Elured						W (-)	1
63. Alice daughter of Richard de Hestecroft						W (-)	1

Name	Regrators (Sutton) Pent. 1306	Regrators (Sutton) May 1309	Hucksters (Lutton) May 1309	Regrators (Sutton & Lutton) Oct. 1312	Regrators (Sutton) Oct. 1313	Regrators (Sutton & Lutton) Pent. 1314	Total
64. Margaret of Norfolk						W (→)	1
Total Women	18	10	13	5	12	30	
Total with Husbands	23	18	14	8	23	33	

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